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JOURNAL

OF THE

CONSTITUTIONAL CONVENTION

1920-1922

OF THE

State of Illinois

86516

Convened at the Capitol in Springfield, January 6, 1920,
and adjourned *sine die* October 10, 1922

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OFFICERS OF THE CONVENTION.

President

CHARLES E. WOODWARD, Ottawa.

Secretary

B. H. MCCANN, Bloomington.

MAY 24 1917

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JOURNAL

OF THE

Constitutional Convention

STATE OF ILLINOIS

Hall of the House of Representatives
Springfield

TUESDAY, JANUARY 6, 1920.

Pursuant to an Act of the General Assembly of the State of Illinois, entitled "An Act to assemble a Convention to revise, alter or amend the Constitution of the State of Illinois," approved June 21, 1919.

The Governor, Hon. Frank O. Lowden, at 12:00 o'clock m., called the Convention to order and presided over its deliberations until the election of a Temporary President.

Prayer was offered by the Rev. John T. Thomas, of the First Presbyterian Church of Springfield.

The Governor designated A. C. Millspaugh as Provisional Secretary pending the temporary organization of the Convention and directed Mr. Millspaugh to call the roll of the Delegates-elect compiled as follows from the official returns on file in the office of the Secretary of State:

First District—Composed of the First and Second Wards in the city of Chicago—Walter H. Wilson and Levy Mayer.

Second District—Composed of the Twentieth Ward and parts of the Eleventh and Twelfth Wards in the city of Chicago—John J. Gorman and Michael F. Sullivan.

Third District—Composed of the Third Ward and parts of the Fourth, Fifth and Sixth Wards in the city of Chicago—Edward H. Morris and Archibald J. Carey.

Fourth District—Composed of the Twenty-ninth and Thirtieth Wards and part of the Thirty-first Ward in the city of Chicago—John E. Traeger and George P. Latchford.

Fifth District—Composed of parts of the Sixth and Seventh Wards in the city of Chicago—Abel Davis and Morton D. Hull.

Sixth District—Composed of the Twenty-fourth and Twenty-sixth Wards and part of the Twenty-third and Twenty-fifth Wards in the city of Chicago, and parts of the towns of Evanston, Niles and New Trier, all in county of Cook—Rufus C. Dawes and George A. Dupuy.

Seventh District—Composed of the towns of Thornton, Bloom, Rich, Bremen, Orland, Lemont, Palos, Worth, Lyons, Stickney, Proviso, Leyden, Elk Grove, Schaumberg, Hanover, Barrington, Palatine, Wheeling, Northfield, and parts of the towns of New Trier, Nils, Norwood, Park and Maine, all in the county of Cook—Frederic R. DeYoung and Amos C. Miller.

Eighth District—Composed of the counties of Boone, Lake and McHenry —Elam L. Clarke and Frank S. Whitman.

Ninth District—Composed of parts of the Fourth, Fifth and Twelfth Wards in the city of Chicago—David E. Shanahan and Charles J. Michal.

Tenth District—Composed of the counties of Ogle and Winnebago—Bruce H. Garrett and James Nichols.

Eleventh District—Composed of the Thirty-second Ward and part of the Thirty-first Ward in the city of Chicago—Percival G. Baldwin and William H. Cruden.

Twelfth District—Composed of the counties of Carroll, JoDaviess and Stephenson—Arthur M. Smith and Harry H. Stahl.

Thirteenth District—Composed of the Eighth and Thirty-third Wards and part of the Seventh Ward in the city of Chicago, and part of the town of Calumet, all in the county of Cook—Oscar Wolff and Douglas Sutherland.

Fourteenth District—Composed of the counties of Kane and Kendall—Lee Mighell and Rodney H. Brandon.

Fifteenth District—Composed of parts of the Ninth, Tenth and Eleventh Wards in the city of Chicago—Ernst Kunde and S. E. Pincus.

Sixteenth District—Composed of the counties of Livingston, Marshall, Putnam and Woodford—Charles H. Ireland and H. E. Torrance.

Seventeenth District—Composed of the Nineteenth Ward and parts of the Ninth and Tenth Wards in the city of Chicago—Thomas F. Frole and Michael Iarussi.

Eighteenth District—Composed of the county of Peoria—Hiram E. Todd and Frank J. Quinn.

Nineteenth District—Composed of the Thirteenth and Thirty-fourth Wards and part of the Twelfth Ward in the city of Chicago, the town of Riverside and part of the town of Cicero, all in the county of Cook—Martin J. O'Brien and Michael Rosenberg.

Twentieth District—Composed of the counties of Grundy, Iroquois and Kankakee—Edward C. Curtis and A. F. Goodyear.

Twenty-first District—Composed of the Fourteenth Ward and parts of the Seventeenth and Thirty-fifth Wards in the city of Chicago—George F. Lohman and Charles S. Cutting.

Twenty-second District—Composed of the counties of Edgar and Vermilion—E. B. Coolley and William Stewart.

Twenty-third District—Composed of the Fifteenth Ward and parts of the Sixteenth and Thirty-fifth Wards in the city of Chicago, and part of the town of Cicero, all in the county of Cook—William Ganschow and Charles Woodward.

Twenty-fourth District—Composed of the counties of Champaign, Moultrie and Piatt—Henry M. Dunlap and Henry I. Green.

Twenty-fifth District—Composed of the Twenty-seventh and Twenty-eighth Wards in the city of Chicago—M. A. Michaelson and Willard M. McEwen.

Twenty-sixth District—Composed of the counties of Ford and McLean—Joseph W. Fifer and Thomas C. Kerrick.

Twenty-seventh District—Composed of the Eighteenth Ward and parts of the Sixteenth and Seventh Wards in the city of Chicago—Edward J. Corcoran and Ernest D. Potts.

Twenty-eighth District—Composed of the counties of DeWitt, Logan and Macon—Andrew H. Mills and Charles B. T. Moore.

Twenty-ninth District—Composed of parts of the Twenty-first and Twenty-second Wards in the city of Chicago—Charles H. Hamill and Alexander H. Revell.

Thirtieth District—Composed of the counties of Brown, Cass, Mason, Menard, Schuyler and Tazewell—Guy L. Shaw and Lewis A. Jarman.

Thirty-first District—Composed of parts of the Twenty-first, Twenty-second, Twenty-third and Twenty-fifth Wards in the city of Chicago—William H. Beckman and Eugene H. Dupee.

Thirty-second District—Composed of the counties of Hancock, McDonough and Warren—David E. Mack and Philip E. Elting.

Thirty-third District—Composed of the counties of Henderson, Mercer and Rock Island—Oscar E. Carlstrom and Cyrus E. Dietz.

Thirty-fourth District—Composed of the counties of Clark, Coles and Douglas—William T. Hollenbeck and Charles A. Shuey.

Thirty-fifth District—Composed of the counties of DeKalb, Lee and Whiteside—Edward H. Brewster and Alvin Warren.

Thirty-sixth District—Composed of the counties of Adams, Calhoun, Pike and Scott—William S. Gray and Rollo Six.

Thirty-seventh District—Composed of the counties of Bureau, Henry and Stark—Lawrence C. Johnson and Watts A. Johnson.

Thirty-eighth District—Composed of the counties of Greene, Jersey, Macoupin and Montgomery—John L. Dryer and Thomas Rinaker.

Thirty-ninth District—Composed of the county of LaSalle—Charles E. Woodward and William M. Scanlan.

Fortieth District—Composed of the counties of Christian, Cumberland, Fayette and Shelby—William H. Chew and F. R. Dove.

Forty-first District—Composed of the counties of DuPage and Will—George A. Barr and Edward Corlett.

Forty-second District—Composed of the counties of Clay, Clinton, Effingham and Marion—J. Mack Tanner and Edgar E. Fyke.

Forty-third District—Composed of the counties of Fulton and Knox—George C. Gale and A. E. Taff.

Forty-fourth District—Composed of the counties of Jackson, Monroe, Perry, Randolph and Washington—S. W. McGuire and Henry W. Meinert.

Forty-fifth District—Composed of the counties of Morgan and Sangamon—Clinton L. Conkling and James H. Paddock.

Forty-sixth District—Composed of the counties of Jasper, Jefferson, Richland and Wayne—James P. Jack and G. Gale Gilbert.

Forty-seventh District—Composed of the counties of Bond and Madison—John J. Brenholt, Jr., and Cicero J. Lindly.

Forty-eighth District—Composed of the counties of Crawford, Edwards, Gallatin, Hardin, Lawrence, Wabash and White—Sylvester J. Gee and Prince A. Pearce.

Forty-ninth District—Composed of the county of St. Clair—William E. Trautmann and Herbert F. Lill.

Fiftieth District—Composed of the counties of Alexander, Franklin, Pulaski, Union and Williamson—William J. Sneed and William A. Wall.

Fifty-first District—Composed of the counties of Hamilton, Johnson, Massac, Pope and Saline—George W. Hogan and Charles V. Parker.

The Governor announced that all Delegates-elect as shown on the foregoing roll, were present except Mr. Sullivan, of the second district.

On motion of Mr. Lindly the Convention proceeded to the election of a Temporary President.

Whereupon Mr. Lindly placed in nomination Hon. Charles E. Woodward of LaSalle County.

There being no other nominations, a call of the roll was had resulting as follows:

Number of votes cast..... 99
For Mr. Woodward..... 99

Those voting for Mr. Woodward are: Messrs.

Barr	Dove	Hollenbeck	Michal	Shuey
Beckman	Dryer	Hull	Mighell	Six
Brandon	Dunlap	Iarussi	Miller	Smith
Brenholt	Dupee, E. H.	Ireland	Mills	Sneed
Brewster	Dupuy, G. A.	Jack	Moore	Stahl
Carey	Elting	Jarman	Morris	Stewart
Carlstrom	Fifer	Johnson, L. C.	Nichols	Sutherland
Chew	Frole	Johnson, W. A.	O'Brien	Taff
Clarke	Fyke	Kerrick	Paddock	Tanner
Conkling	Gale	Kunde	Parker	Todd
Coolley	Ganschow	Latchford	Pearce	Torrance
Corcoran	Garrett	Lill	Pincus	Traeger
Corlett	Gee	Lindly	Potts	Trautmann
Cruden	Gilbert	Lohman	Quinn	Wall
Curtis	Goodyear	Mack	Revell	Warren
Cutting	Gorman	Mayer	Rinaker	Whitman
Davis	Gray	McEwen	Rosenberg	Wilson
Dawes	Green	McGuire	Scanlan	Wolff
De Young	Hamill	Meinert	Shanahan	Woodward, Chas.
Dietz	Hogan	Michaelson	Shaw	Total—99.

Mr. Woodward having received a majority of the votes of the Delegates elected, was declared elected Temporary President.

Mr. Trautmann offered the following resolution, and moved its adoption:

RESOLUTION No. 1.

Resolved, That a committee of three members be appointed by the Governor to conduct the Temporary President to the chair.

And the resolution was adopted.

The Governor thereupon appointed as such committee Messrs. Trautmann, Fifer and Quinn.

Whereupon, the committee conducted the Temporary Chairman, Hon. Charles E. Woodward, to the chair.

The election of a Temporary Secretary being the next order of business.

Mr. Scanlan placed in nomination Mr. B. H. McCann of Bloomington.

Mr. Dove placed in nomination Lieut.-Col. John J. Bullington, of Taylorville.

There being no other nominations, a call of the roll was had, resulting as follows:

Number of votes cast..... 99
For Mr. McCann..... 82
For Mr. Bullington..... 17

Those voting for Mr. McCann are: Messrs.

Barr	Dunlap	Ireland	Morris	Sutherland
Beckman	Dupee, E. H.	Jack	Nichols	Stahl
Brandon	Fifer	Johnson, L. C.	O'Brien	Stewart
Brenholt	Frole	Johnson, W. A.	Paddock	Taff
Brewster	Gale	Kerrick	Parker	Tanner
Carey	Ganschow	Kunde	Pincus	Todd
Carlstrom	Garrett	Lill	Potts	Torrance
Chew	Gee	Lindly	Quinn	Traeger
Clarke	Gilbert	Lohman	Rinaker	Trautmann
Conkling	Goodyear	McEwen	Rosenberg	Wall
Corcoran	Gorman	McGuire	Scanlan	Warren
Corlett	Green	Meinert	Shanahan	Whitman
Cruden	Hamill	Michaelson	Shaw	Wilson
Curtis	Hogan	Miller	Shuey	Wolff
De Young	Hollenbeck	Mills	Smith	Woodward, Chas.
Dietz	Hull	Moore	Sneed	Woodward. C. E.
Dryer	Iarussi			Total—82.

Those voting for Mr. Bullington are: Messrs.

Cutting	Dupuy, G. A.	Jarman	Mayer	Pearce
Davis	Elting	Latchford	Michal	Revell
Dawes	Fyke	Mack	Mighell	Six
Dove	Gray			Total—17.

Mr. McCann having received a majority of the votes of the Delegates elected, was declared elected Temporary Secretary.

Mr. Green offered the following resolution and moved its adoption:

Resolution No. 2.

Resolved, That a Committee on Credentials, consisting of seven members be appointed by the Temporary President, to report the names of Delegates elected and entitled to seats in this Convention.

And the resolution was adopted.

The Temporary President thereupon appointed as such committee, Messrs. Green, Hamill, Moore, Hogan, Mighell, O'Brien and Traeger.

Mr. Green, from the Committee on Credentials, submitted the following report:

Committee Report.

Your Committee on Credentials reports the names of Delegates elected and entitled to seats in this Convention as follows:

District.	Name.	Address.	County.	Party.
1	Walter H. Wilson	2619 Prairie Av., Chicago	Cook	Rep.
	Levy Mayer	Blackstone Hotel, Chicago	..do	Dem.
2	John J. Gorman	1633 Jackson Boul., Chicago	..do	Rep.
	Michael F. Sullivan	1611 W. Jackson Boul., Chicago	..do	Dem.
3	Edward H. Morris	3757 Vernon Av., Chicago	..do	Rep.
	Archibald J. Carey	3428 Vernon Av., Chicago	..do	Rep.
4	John E. Traeger	921 W. 54th Pl., Chicago	..do	Dem.
	George P. Latchford	4532 Emerald Av., Chicago	..do	Dem.
5	Abel Davis	5125 Ellis Av., Chicago	..do	Rep.
	Morton D. Hull	4855 Woodlawn Ave., Chicago	..do	Rep.
6	Rufus C. Dawes	1800 Sheridan Rd., Evanston	..do	Rep.
	George A. Dupuy	4526 N. Paulina St., Chicago	..do	Rep.
7	Frederic R. DeYoung	50 E. 155th St., Harvey	..do	Rep.
	Amos C. Miller	241 Melrose Av., Kenilworth	..do	Rep.
8	Elam L. Clarke	Waukegan	Lake	Rep.
	Frank S. Whitman	Belvidere	Boone	Rep.
9	David E. Shanahan	3315 S. Western Boul., Chicago	Cook	Rep.
	Charles J. Michal	2410 S. Kedzie Av., Chicago	..do	Dem.

District.	Name.	Address.	County.	Party.
10.....	Bruce H. Garrett.....	Rockford.....	Winnebago.....	Rep.
	James Nichols.....	Polo.....	Ogle.....	Rep.
11.....	Percival G. Baldwin.....	2017 W. 70th St., Chicago.....	Cook.....	Rep.
	William H. Cruden.....	10204 Wallace St., Chicago.....	..do.....	Rep.
12.....	Arthur M. Smith.....	Stockton.....	JoDaviess.....	Rep.
	Harry H. Stahl.....	Freeport.....	Stephenson.....	Rep.
13.....	Oscar Wolff.....	10611 Av. H., Chicago.....	Cook.....	Rep.
	Douglas Sutherland.....	6558 Minerva Av., Chicago.....	..do.....	Rep.
14.....	Lee Mighell.....	Aurora.....	Kane.....	Rep.
	Rodney H. Brandon.....	Mooseheart.....	..do.....	Rep.
15.....	Ernst Kunde.....	2025 S. Halsted St., Chicago.....	Cook.....	Rep.
	S. E. Pincus.....	836 W. 14th St., Chicago.....	..do.....	Dem.
16.....	Charles H. Ireland.....	Washburn.....	Woodford.....	Rep.
	H. E. Torrance.....	Pontiac.....	Livingston.....	Rep.
17.....	Thomas F. Frole.....	1140 W. Taylor St., Chicago.....	Cook.....	Dem.
	Michael Iarussi.....	761 W. Taylor St., Chicago.....	..do.....	Dem.
18.....	Hiram E. Todd.....	Peoria.....	Peoria.....	Rep.
	Frank J. Quinn.....	..do.....	..do.....	Dem.
19.....	Martin J. O'Brien.....	3845 Flournoy St., Chicago.....	Cook.....	Dem.
	Michael Rosenberg.....	1250 Independence Boul., Chicago.....	..do.....	Dem.
20.....	Edward C. Curtis.....	Grant Park.....	Kankakee.....	Rep.
	A. F. Goodyear.....	Watseka.....	Iroquois.....	Rep.
21.....	George F. Lohman.....	566 N. Long Av., Chicago.....	Cook.....	Rep.
	Charles S. Cutting.....	307 N. Waller Av., Chicago.....	..do.....	Rep.
22.....	E. B. Coolley.....	Danville.....	Vermilion.....	Rep.
	William Stewart.....	Paris.....	Edgar.....	Rep.
.....	William Ganschow.....	2156 Pierce Av., Chicago.....	Cook.....	Rep.
	Charles Woodward.....	225 S. Scoville Av., Oak Park.....	..do.....	Rep.
24.....	Henry M. Dunlap.....	Savoy.....	Champaign.....	Rep.
	Henry I. Green.....	Urbana.....	..do.....	Rep.
25.....	M. A. Michaelson.....	3018 Palmer Sq., Chicago.....	Cook.....	Rep.
	Willard M. McEwen.....	3633 N. Springfield Av., Chicago.....	..do.....	Rep.
26.....	Joseph W. Fifer.....	Bloomington.....	McLean.....	Rep.
	Thomas C. Kerrick.....	..do.....	..do.....	Rep.
27.....	Edward J. Corcoran.....	323 S. Peoria St., Chicago.....	Cook.....	Dem.
	Ernest D. Potts.....	21 N. Ashland Boul., Chicago.....	..do.....	Dem.
28.....	Andrew H. Mills.....	Decatur.....	Macon.....	Rep.
	Charles B. T. Moore.....	..do.....	..do.....	Rep.
29.....	Charles H. Hamill.....	199 Lake Shore Drive, Chicago.....	Cook.....	Rep.
	Alexander H. Revell.....	842 N. Michigan Av., Chicago.....	..do.....	Rep.
30.....	Guy L. Shaw.....	Beardstown.....	Cass.....	Rep.
	Lewis A. Jarman.....	Rushville.....	Schuyler.....	Rep.
31.....	William H. Beckman.....	2468 Orchard St., Chicago.....	Cook.....	Rep.
	Eugene H. Dupee.....	534 Aldine Av., Chicago.....	..do.....	Rep.
32.....	David E. Mack.....	Carthage.....	Hancock.....	Rep.
	Philip E. Elting.....	Macomb.....	McDonough.....	Rep.
33.....	Oscar E. Carlstrom.....	Aledo.....	Mercer.....	Rep.
	Cyrus E. Dietz.....	Moline.....	Rock Island.....	Rep.
34.....	Wm. T. Hollenbeck.....	Marshall.....	Clark.....	Rep.
	Charles A. Shuey.....	Charleston.....	Coles.....	Rep.
35.....	Edward H. Brewster.....	Dixon.....	Lee.....	Rep.
	Alvin Warren.....	Leland.....	DeKalb.....	Rep.
36.....	William S. Gray.....	Coatsburg.....	Adams.....	Rep.
	Rollo Six.....	Barry.....	Pike.....	Dem.
37.....	Lawrence C. Johnson.....	Galva.....	Henry.....	Rep.
	Watts A. Johnson.....	Princeton.....	Bureau.....	Rep.
38.....	John L. Dryer.....	Hillsboro.....	Montgomery.....	Rep.
	Thos. Rinaker.....	Carlinville.....	Macoupin.....	Rep.
39.....	Charles E. Woodward.....	Ottawa.....	LaSalle.....	Rep.
	William M. Scanlan.....	Peru.....	..do.....	Rep.
40.....	William H. Chew.....	Shelbyville.....	Shelby.....	Rep.
	F. R. Dove.....	..do.....	..do.....	Dem
41.....	George A. Barr.....	Joliet.....	Will.....	Rep.
	Edward Corlett.....	..do.....	..do.....	Rep.
42.....	J. Mack Tanner.....	Flora.....	Clay.....	Rep.
	Edgar E. Fyke.....	Centralia.....	Marion.....	Dem.
43.....	George C. Gale.....	Galesburg.....	Knox.....	Rep.
	A. E. Taff.....	Canton.....	Fulton.....	Rep.
44.....	S. W. McGuire.....	Sparta.....	Randolph.....	Rep.
	Henry W. Meinert.....	Hoyleton.....	Washington.....	Rep.
45.....	Clinton L. Conkling.....	Springfield.....	Sangamon.....	Rep.
	James H. Paddock.....	..do.....	..do.....	Rep.
46.....	James P. Jack.....	Newton.....	Jasper.....	Rep.
	G. Gale Gilbert.....	Mt. Vernon.....	Jefferson.....	Rep.
47.....	John J. Brenholt., Jr.....	Alton.....	Madison.....	Rep.
	Cicero J. Lindly.....	Greenville.....	Bond.....	Rep.

District.	Name.	Address.	County.	Party.
48.....	Sylvester J. Gee.....	Lawrenceville.....	Lawrence.....	Rep.
	Prince A. Pearce.....	Carmi.....	White.....	Dem.
49.....	William E. Trautmann....	R. R. No. 2, East St. Louis.....	St. Clair.....	Rep.
	Herbert F. Lill.....	Mascoutah.....	..do.....	Rep.
50.....	William J. Sneed.....	Herrin.....	Williamson....	Rep.
	William A. Wall.....	Mound City.....	Pulaski.....	Rep.
51.....	George W. Hogan.....	McLeansboro.....	Hamilton.....	Rep.
	Charles V. Parker.....	Harrisburg.....	Saline.....	Rep.

Respectfully submitted,

(Signed) HENRY I. GREEN,
CHARLES H. HAMILL,
GEORGE W. HOGAN,
JOHN E. TRAEGER,
MARTIN J. O'BRIEN,
C. B. T. MOORE,
LEE MIGHELL,
Committee.

Mr. Green moved that the report of the committee be concurred in, and that the gentlemen whose names are presented therein be declared entitled to sit in this Convention.

The motion prevailed and the report of the Committee on Credentials was adopted.

Mr. Barr offered the following resolution and moved its adoption:

RESOLUTION No. 3.

Resolved, That a committee of eight members be appointed by the Temporary President to call upon the Judge of the Circuit Court of Sangamon County and request him to administer the oath of office to the Delegates-elect of the Constitutional Convention.

And the resolution was adopted.

The Temporary President thereupon appointed as such committee, Messrs. Barr, Conkling, Gee, Cutting, Carlstrom, Morris, Mayer and Pearce.

Mr. Barr, from the committee heretofore appointed to wait upon the Judge of the Circuit Court, and request him to administer the oath of office to the Delegates-elect of the Constitutional Convention, announced that Judge Elbert S. Smith of the Circuit Court, was present and ready to perform that duty.

Whereupon, the oath of office was administered by Judge Smith to all Delegates-elect, except Michael F. Sullivan of the second district.

Mr. Lindly offered the following resolution and moved its adoption:

RESOLUTION No. 4.

Resolved, That the Convention now proceed to the election of a President and Secretary.

And the resolution was adopted.

The Temporary President called Mr. Trautmann to the chair.

Whereupon, Mr. Lindly placed in nomination for President, Hon. Charles E. Woodward of LaSalle County.

There being no other nominations, a call of the roll was had, resulting as follows:

Number of votes cast..... 98
For Mr. Woodward..... 98

Those voting for Mr. Woodward are: Messrs.

Barr	Dove	Hollenbeck	Mighell	Shuey
Beckman	Dryer	Hull	Miller	Six
Brandon	Dunlap	Ireland	Mills	Smith
Brenholt	Dupee, E. H.	Jack	Moore	Sneed
Brewster	Dupuy, G. A.	Jarman	Morris	Stahl
Carey	Elting	Johnson, L. C.	Nichols	Stewart
Carlstrom	Fifer	Johnson, W. A.	O'Brien	Sutherland
Chew	Frole	Kerrick	Paddock	Taff
Clarke	Fyke	Kunde	Parker	Tanner
Conkling	Gale	Latchford	Pearce	Todd
Coolley	Ganschow	Lill	Pincus	Torrance
Corcoran	Garrett	Lindly	Potts	Traeger
Corlett	Gee	Lohman	Quinn	Trautmann
Cruden	Gilbert.	Mack	Revell	Wall
Curtis	Goodyear	Mayer	Rinaker	Warren
Cutting	Gorman	McEwen	Rosenberg	Whitman
Davis	Gray	McGuire	Scanlan	Wilson
Dawes	Green	Meinert	Shanahan	Wolff
De Young	Hamill	Michaelson	Shaw	Woodward,Chas.
Dietz	Hogan	Michal		Total—98.

Mr. Woodward having received a majority of the votes of the Delegates elected, was declared elected President.

Mr. Trautmann thereupon appointed Messrs. Curtis, Rinaker and Pearce as a committee to conduct the President to the chair.

Whereupon, the committee conducted the President, Hon. Charles E. Woodward, to the chair.

The election of a Secretary being the next order of business.

Mr. Scanlan placed in nomination Mr. B. H. McCann of Bloomington.

There being no other nominations, a call of the roll was had, resulting as follows:

Number of votes cast..... 98
For Mr. McCann..... 98

Those voting for Mr. McCann are: Messrs.

Barr	Dove	Iarussi	Miller	Six
Beckman	Dryer	Ireland	Mills	Smith
Brandon	Dunlap	Jack	Moore	Sneed
Brenholt	Dupee, E. H.	Jarman	Morris	Stahl
Brewster	Dupuy, G. A.	Johnson, L. C.	Nichols	Stewart
Carey	Fifer	Johnson, W. A.	O'Brien	Sutherland
Carlstrom	Frole	Kerrick	Paddock	Taff
Chew	Fyke	Kunde	Parker	Tanner
Clarke	Gale	Latchford	Pearce	Todd
Conkling	Ganschow	Lill	Pincus	Torrance
Coolley	Garrett	Lindly	Potts	Traeger
Corcoran	Gee	Lohman	Quinn	Trautmann
Corlett	Gilbert	Mack	Revell	Wall
Cruden	Goodyear	Mayer	Rinaker	Warren
Curtis	Gray	McEwen	Rosenberg	Whitman
Cutting	Green	McGuire	Scanlan	Wilson
Davis	Hamill	Meinert	Shanahan	Wolff
Dawes	Hogan	Michaelson	Shaw	Woodward,Chas.
De Young	Hollenbeck	Michal	Shuey	Woodward, C. E.
Dietz	Hull	Mighell		Total—98.

Mr. McCann having received a majority of the votes of the Delegates elected, was declared elected Secretary.

Mr. Gale offered the following resolution and moved its adoption:

RESOLUTION No. 5.

Resolved, That a committee of ten members, of which the President shall be chairman, be appointed by the President, to prepare and report rules and procedure, for the government of this Convention.

And the resolution was adopted.

At the hour of 1:30 o'clock p. m., Mr. Brenholt moved that the Convention do now take a recess until 3:30 o'clock p. m.

And the motion prevailed.

3:30 O'CLOCK P. M.

The hour of 3:30 o'clock p. m. having arrived, the Convention resumed its session.

The President presiding.

Mr. Corlett offered the following resolution and moved its adoption:

RESOLUTION No. 6.

Resolved, That the Secretary, immediately after the passage of this resolution, place in a box the name of each Delegate on separate slips of paper; that he then proceed, in the presence of the Convention, to draw from said box one of the slips at a time, and as each slip is drawn he shall announce the name of the Delegate upon it, who shall then and there choose his permanent seat in the Convention: *Provided*, that before the drawing commences the President shall cause every seat to be vacated, and provided further, that Hon. Joseph W. Fifer, be accorded the privilege of selecting his seat before the drawing commences.

And the resolution was adopted.

The members having retired from the floor of the Convention and Mr. Fifer having selected his seat, a like courtesy was, on motion, extended to former Speakers of the House of Representatives, Edward C. Curtis and David E. Shanahan, and to Messrs. Cutting, Torrance and Gilbert.

The drawing having been completed, the President announced the appointment of the Committee on Rules, as follows: Messrs. Woodward, Chairman, Green, Shanahan, Curtis, Hamill, Trautmann, Gale, Wall, Quinn and Pearce.

At the hour of 5:00 o'clock p. m., Mr. Green moved that the Convention do now adjourn until 10:00 o'clock a. m., Wednesday, January 14, 1920.

Pending consideration, Mr. Mayer moved to amend the motion to read January 20th, and that a printed copy of the tentative rules be mailed to each Delegate four days prior to that date.

The question being on the adoption of the amendment.

It was decided in the negative.

The question recurring on the adoption of the motion of Mr. Green.

It was decided in the affirmative.

And at the hour of 5:15 o'clock p. m., the Convention stood adjourned until Wednesday, January 14, 1920, at 10:00 o'clock a. m.

WEDNESDAY, JANUARY 14, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. S. W. McFadden of the Westminister Presbyterian Church of Springfield.

The Journal of Tuesday, January 6, was being read, when on motion of Mr. Lindly, the further reading of the same was dispensed with and it was ordered to stand approved.

The President, as chairman, laid before the Convention the report of the Committee on Rules.

Mr. Davis moved that the rules be read by section and that opportunity be given for amendment after the reading of each section.

Mr. Whitman moved as a substitute that the rules be first read at large and thereafter taken up and considered section by section.

The question being on the substitute motion, it was edcided in the affirmative.

And the report of the Committee on Rules was thereupon read at large as follows:

Committee Report.

Your committee appointed to draft rules for the government of this Convention respectively reports as follows:

Three sessions of this committee were held daily following the adjournment on last Tuesday, until Friday evening, and on last Saturday a printed tentative draft of rules was placed in the mail addressed to each Delegate.

The committee met again on yesterday and considered suggestions which had been made to the members of the committee, and also suggestions which were at that time presented to it by various Delegates, for changes and modifications in the tentative draft of rules as originally framed.

As a result of the consideration and deliberations of your committee we respectively submit the following draft of rules for the government of the Convention during its sessions, and respectively move that the action of your committee be agreed to and said rules be formally approved and adopted.

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I.

OFFICERS OF THE CONVENTION.

LIST.

1. The officers of the Convention shall be a President and a Secretary. These officers shall be elected by a majority vote of all delegates elected to the Convention.

THE PRESIDENT.

2. The President shall take the chair each day at the hour to which the Convention shall have adjourned. He shall call the Convention to order and shall proceed to business in the manner prescribed by the rules.

3. The President shall preserve order and decorum; may speak to points of order in preference to other delegates, and shall decide questions of order, subject to an appeal to the Convention, on which appeal no delegate shall speak more than once, except by leave of the Convention.

4. He shall be *ex-officio* member and chairman of the Committee on Rules and Procedure, and shall be *ex-officio* member of all committees of the Convention to which he shall not have been specifically appointed.

5. He shall appoint all committees, except where the Convention shall otherwise order.

6. He may substitute any delegate to perform the duties of the Chair, but not for a longer time than one week, except by leave of the Convention.

7. He may vote on all elections or divisions called for by any delegate, and on all questions taken by yeas and nays, except on appeals from his decisions.

8. He shall examine and correct the Journal before it is read; and the same shall be printed and placed upon the desks of the delegates. He shall have general direction of the hall.

9. All writs, warrants and subpoenas issued by order of the Convention shall be under the hand of the President and attested by the Secretary.

10. In case of any disturbance or disorderly conduct on the floor of the Convention, in the lobby or galleries, by the spectators, the President or the chairman of the Committee of the Whole shall have power to order the floor, the lobby or galleries to be cleared of spectators.

11. The President shall appoint the Sergeant-at-Arms and all other employees, shall prescribe their duties and fix the hours of their employment. The number of such employees and their compensation shall be determined or fixed by resolution passed by a majority vote of the delegates elected to the Convention. The committee rooms shall be under the control of the President and shall be assigned by him to the several committees. All orders for the payment of salaries, mileage and other expenses shall be approved by the President. No extra compensation, allowance or perquisites shall be voted to any officer or employee of the Convention.

12. In the performance of their duties the Secretary and all employees shall be under the supervision of the President.

THE SECRETARY.

13. The Secretary shall keep the Journal of the Convention, and of the Committee of the Whole and shall superintend the printing thereof. He shall call the roll whenever it shall be ordered and record the vote. Sub-

ject to the control of the President he shall be the custodian of the records of the Convention, and under the direction of the President he shall perform the customary duties of clerks or secretaries of deliberative assemblies, and such other duties as shall be ordered by the Convention or the President.

SERGEANT-AT-ARMS.

14. Subject to the direction of the President, the Sergeant-at-Arms shall enforce the rules of the Convention. He shall be especially charged with enforcing the rules as to admission to the Convention hall.

II.

SESSIONS OF THE CONVENTION.

15. Ten o'clock in the morning shall be the standing hour to which the Convention shall adjourn unless otherwise ordered by a majority vote.

III.

PROPOSALS.

16. After the 1st day of March, 1920, no proposal shall be introduced except on the report or recommendation of a standing or select committee.

17. Delegates may introduce proposals by presenting the same from the floor of the Convention on the proper order of business. The proposals shall be sent in duplicate by the introducer to the Secretary's desk, numbered by the Secretary and handed to the President; if in proper form the same shall at the next session of the Convention, be read the first time and referred by the President to the appropriate committee; if such proposal is not in proper form, the same shall be by the President referred back to the introducer with an oral statement from the chair explaining defects in form.

"Each proposal shall be single as to subject matter, shall bear an appropriate title, and, when read and referred to committee, shall be printed and by title and number spread upon the Journal."

18. Proposals shall be in substantially the following form:

Constitutional Convention, Proposal No.....,1920
Introduced by Mr.....,Jan.....1920.

A proposal to (here insert title).

Resolved, That the following shall become a part of the Constitution of Illinois.

or

Resolved, That Section.....of Article.....of the Constitution of 1870 now in force be omitted from the proposed revised Constitution.

19. All provisions of the present Constitution shall be referred to the Appropriate Committees for consideration and report. The Committee on Rules and Procedure shall prepare a list designating the parts of the Constitution to be refered to each committee; and such list shall be reported to the Convention, and shall control unless the Convention shall otherwise determine.

20. When a committee has reported that no amendments should be made to the provisions of the existing Constitution relating to any specified subject, and such report is agreed to, all proposals for Constitutional amendment relating to that subject which have been referred to that committee shall be considered as rejected. The proposals affected by this rule shall, however, be reported by the committee to the Convention with a statement to this effect. All provisions of the present Constitution for which no amendment or substituted provision shall have been passed by the Convention, shall stand referred to the Committee on Phraseology and style, and by

said committee combined and coordinated with the other proposals approved and passed by the Convention as constituting the revised Constitution as a unit, and incorporated in the report of the said committee as required by Paragraph 8 of Rule 22.

21. The several committees shall consider and report without unnecessary delay upon the respective matters referred to them by the Convention. The Convention by a vote of a majority of the delegates elected thereto, may, upon the motion of any delegate, require any committee to report upon any proposal that has been committed to it, or may withdraw the proposal from the committee. Any proposal withdrawn from committee by a vote of the Convention shall be regarded as in the same parliamentary status as if reported favorably by the committee.

22. The regular order to be taken for proposals introduced in the Convention shall be as follows:

1. Introduction; first reading and reference to a committee by the President, unless otherwise ordered by a majority of the delegates present.
2. Report of committee and placing on the general orders.
3. Consideration in Committee of the Whole in order of reference.
4. Report by the Committee of the Whole to the Convention and reference by the Convention to the Committee on Phraseology and Style.
5. Report of Committee on Phraseology and Style upon the specific proposals referred to it.
6. Second reading; vote on passage, the vote to be taken by yeas and nays and entered on the Journal; no favorable action to be taken unless a majority of all the delegates elected shall have voted in favor of the same.
7. Re-reference to Committee on Phraseology and Style, for action as provided by Rule 20.
8. Report by Committee on Phraseology and Style, on all proposals as a unit.
9. Reference of the report of the Committee on Phraseology and Style to the Committee of the Whole where it shall be subject to amendment as to matter of form only.
10. Report by Committee of the Whole and by a vote of a majority of delegates elected to the Convention, placing on the order of third reading.
11. Third reading and passage as a whole. Upon such passage the yeas and nays shall be taken and entered on the Journal. A majority vote of all Delegates elected shall be required for passage and adoption. Upon third reading no amendments shall be in order without unanimous consent.

IV.

ORDER OF BUSINESS.

23. On the meeting of the Convention, the order of business shall be as follows:

Opening Prayer.
Reading of the Journal.
Special orders of the day.
Reports of Standing Committees.
Reports of Select Committees.
Introduction of proposals.
First reading and reference of proposals.
Second reading of proposals.
Motions and resolutions.
Unfinished business.
General orders of the day.

24. Any matter may be made a special order for a particular hour of any day, by a majority of the delegates elected. The Committee on Rules

and Procedure may report a special order, which special order shall take the place of the regular order.

25. Any subject matter having been made the special order for a particular day, and not having been reached on that day, the same shall come up on the order of "Unfinished Business" the next succeeding session.

V.

DELEGATES.

26. No protest or petition contesting the election of any delegate shall be received or considered unless filed within fifteen days from and after the opening of the Convention.

27. No delegate shall absent himself from the sessions of the Convention unless he have leave or be ill or his absence be otherwise unavoidable.

28. No delegate shall name another delegate in debate.

29. No delegate shall speak more than once on the same question, without leave of the Convention, unless he be the mover of the matter pending or chairman of the committee which reported the same, in which case he shall be privileged to close the debate even though he may have already spoken or the previous question have been ordered.

30. No delegate shall indulge in the reading of newspapers during a session of the Convention. While the President is putting any question, while the Secretary is calling the roll, or while any delegate is speaking, no delegate shall walk out of or across the hall, entertain private discourse or pass between the Speaker and the Chair.

31. No person shall visit or remain at the Secretary's desk while the yeas and nays are being called.

32. After a question has been stated by the President, and the calling of the roll has been begun, the President shall not recognize a delegate for any purpose, except upon points of order, or questions of privilege, until after the announcement of the vote, but he shall preserve order and shall direct delegates who are not in their seats to resume the same.

33. An explanation of a vote shall not be in order, unless made before the Convention divides, or before the call of the yeas and nays is commenced.

VI.

COMMITTEES OF THE CONVENTION.

34. The President shall appoint the following standing committees:

Bill of Rights, consisting of 15 members.
Chicago and Cook County, consisting of 15 members.
Corporations and Cooperative Associations, consisting of 15 members.
County and Township Government, consisting of 11 members.
Distinction Between Constitutional and Legislative Subjects, consisting of 7 members.
Education, consisting of 9 members.
Executive Department, consisting of 15 members.
Expenditures and Supplies, consisting of 5 members.
Future Amendment of the Constitution, consisting of 11 members.
Industrial Affairs, Agriculture and Labor, consisting of 15 members.
Initiative, Referendum and Recall, consisting of 15 members.
Judicial Department, consisting of 15 members.
Legislative Department, consisting of 15 members.
Military Affairs, consisting of 9 members.
Miscellaneous Subjects, consisting of 11 members.
Municipal Government, consisting of 15 members.
Phraseology and Style, consisting of 7 members.
Public Works and Improvements, consisting of 9 members.

Qualifications and Election of Delegates, consisting of 9 members.
Revenue, Taxation and Finance, consisting of 15 members.
Rules and Procedure, consisting of 10 members including the President.
Schedule, consisting of 7 members.
Submission and Address, consisting of 15 members.
Suffrage, consisting of 9 members.

35. The first named member of any committee shall be the chairman.

36. No committee shall sit during the sessions of the Convention without special leave. All committee hearings shall be open to the public.

37. A majority of a committee shall constitute a quorum. All reports of committees shall be in writing and shall be signed by at least a majority of the members of the committee. Such reports when made shall be spread upon the Journal forthwith. All reports of committees upon proposals shall be accompanied by all the papers in relation thereto.

Every committee report upon proposals, shall be in proper sectional form and shall contain no reasons for such proposal, nor any recital of facts which may have led to the report; but the committee or a reporting minority thereof, if it choose, may present on separate paper a recital of facts with an argument, which, however, shall not be entered on the Journal, except when ordered by the Convention.

38. The report of a minority of any committee shall be received and printed in the Journal.

39. When any proposal is about to be considered by a committee, the introducer of such proposal shall be notified of the time and place where such proposal shall be considered by such committee.

40. The rules of the Convention shall be observed in all committees as far as may be applicable, and each committee shall keep a record of its proceedings.

41. The Committee on Expenditure and Supplies shall approve all bills entailing the expenditure of funds.

VII.

COMMITTEE OF THE WHOLE.

42. In forming a Committee of the Whole Convention, the President shall leave the Chair, and a chairman to preside in the committee shall be appointed by the President.

43. Reports of standing committees, when received by the Convention, shall lie on the table and be printed, and, when referred to the Committee of the Whole, they shall, unless otherwise ordered by the committee, be taken up in their order and shall be the standing order for the Committee of the Whole on each succeeding day. This rule shall not control in case a special order is adopted in accordance with the rules of the Convention.

44. When the Convention shall have arrived at the "General orders of the Day", it shall go into Committee of the Whole upon such orders, or upon a special order and, except in the absence of a special order, the Committee of the Whole shall consider, act upon or pass the general orders, according to the order of their reference.

45. Proposals submitted to the Committee of the Whole shall first be read through, and then read and acted upon by sections. All amendments shall be entered on separate paper, and so reported to the Convention by the chairman.

46. A motion that the committee arise shall always be in order and shall be decided without debate.

47. A motion to reconsider shall be in order in Committee of the Whole.

48. The rules of the Convention shall be observed in Committee of the Whole, so far as they may be applicable, except that the vote of a majority

of said committee shall govern its action; it can not refer matters to any other committee; it can not adjourn; the previous question shall not be enforced; the yeas and nays shall not be called; a motion to postpone indefinitely shall not be in order; a member may speak more than once. A Journal of the proceedings in Committee of the Whole shall be kept as in Convention, and debates of the Committee of the Whole shall be reported in the same manner as debates in Convention.

49. The Committee of the Whole may at any time close debate, and bring on a direct vote on any pending proposition by a majority of two-thirds of the committee; and any motion to that end shall not be debatable.

50. A majority of all delegates elected to the Convention shall constitute a quorum of the Committee of the Whole. When it shall appear on a division that a quorum is not present, the chairman shall dissolve the committee and the President shall resume the Chair.

The committee shall have the same powers as the Convention to enforce the attendance of members; and the Secretary and Sergeant-at-Arms shall be the Secretary and Sergeant-at-Arms respectively of the Committee of the Whole.

VIII.

PUBLICATIONS.

51. Under the supervision of the Secretary a daily Journal shall be printed and placed upon the desks of the delegates. The debates of each day shall be printed under the supervision of the President and placed upon the desks of the delegates as promptly as possible.

IX.

MOTIONS.

52. All resolutions or motions calling for the appointment of committees, or involving the expenditure of money, or involving the right of a delegate to a seat in the Convention shall require the concurrence of a majority of all the delegates elected, with a yea and nay vote taken and entered on the Journal. No resolution or motion involving the expenditure of money shall be adopted without first having been referred to the Committee on Expenditures and Supplies for consideration and report.

53. No second shall be required to any motion presented to the Convention.

54. When a motion is made it shall be stated by the President, or being in writing, it shall be handed to the Secretary and read aloud before being debated.

55. Every motion shall be reduced to writing, if the President or any delegate shall request it, and shall be entered upon the Journal, together with the name of the delegate making it, unless withdrawn or ruled out of order by the President.

56. After a motion has been stated by the President or read by the Secretary, it shall be deemed to be in the possession of the Convention, but may be withdrawn at any time before decision or amendment, by leave of the Convention.

57. When a question is under debate, no motion shall be received but:

1. To adjourn.
2. To take a recess.
3. For a call of the convention.
4. To lay on the table.
5. For the previous question.

} Not amendable or debatable.

6. To postpone indefinitely, not amendable but debatable.
7. To postpone to a day certain.
8. To commit.
9. To amend.

} Precludes debate on main question.

Which several motions shall take precedence in the order in which they stand arranged. When a recess is taken during the pendency of any question, the consideration of such question shall be resumed upon reassembling, unless otherwise determined. No motion to postpone to a day certain, to commit, or to postpone indefinitely, being decided, shall be again allowed on the same day and at the same stage of the question.

58. A motion to lay any particular proposition on the table shall apply to that particular proposition only.

59. The previous question shall be put in this form:

"Shall the main question be now put?" And until it is decided, shall preclude all amendments or debate. When it is decided that the main question shall not now be put, the main question shall be considered as still remaining under debate.

The effect of the main question's being ordered shall be to put an end to all debate, and bring the Convention to a direct vote upon all amendments reported or pending in the inverse order in which they have been offered, and then upon the main question. After the motion for the previous question has prevailed, it shall not be in order to move for a call of the Convention unless it shall appear by yeas and nays that no quorum is present (and if a call of the Convention is ordered it shall continue in effect until the vote on the main question has been taken); or to move to adjourn prior to a decision of the main question; provided, if a motion to postpone or to commit is pending the only effect of the previous question shall be to bring the Convention to a vote upon such motion.

60. When a blank is to be filled, and different sums or times are proposed, the question shall first be put on the largest sum and longest time.

61. Any delegate may call for a division of the question, when divisible, but a motion to strike out and insert shall be indivisible.

62. When a question has been once put and carried in the affirmative or negative, it shall be in order for a member of the majority to move for reconsideration thereof, or give notice that he will make such motion, but no motion for the reconsideration of any vote shall be in order unless on the same or the next day of actual session of the Convention. A motion to reconsider shall take precedence of all other questions except a motion to adjourn.

63. No motion or proposition on a subject different from the one under consideration shall be admitted under color of an amendment or substitute.

X.

GENERAL RULES.

64. A majority of all delegates elected to the Convention shall constitute a quorum, but a smaller number may adjourn from day to day or for less time than one day, and compel the attendance of absent delegates. A call of the Convention may be made for the purpose of obtaining a quorum; or for the purpose of securing the attendance of absent delegates, even though a quorum be present.

65. Upon a call of the Convention, the names of the delegates shall be called by the Secretary and the absentees noted, after which the names of the absentees shall again be called, the doors shall then be shut, and those for whom insufficient or no excuses are made, may, by order of those present, be taken into custody as they appear, or may be sent for and taken into custody, wherever found by the Sergeant-at-arms. When a call of the Convention has been ordered, the Sergeant-at-arms shall permit no delegate to leave the hall of the Convention.

66. No person, other than delegates, officers and employees of the Convention, the elected State Officers of the Executive department, the Sec-

retary to the Governor and the Judges and Clerk of the Supreme Court, shall be entitled to remain on the floor of the Convention while it is in session. Representatives of the Press while the Convention is in session shall have access to the galleries and places allotted to them by the President.

67. No smoking shall be allowed in the hall, lobbies or galleries.

68. Every delegate presenting a paper containing subject matter for the consideration of the Convention shall endorse the same with a brief statement of its subject or contents, adding his name.

69. Upon the demand of five delegates, which may be oral or in writing, and made before or after a viva voce vote, or before or after a division, the yeas and nays shall be taken on any question, and entered upon the Journal. Such demand shall be made before proceeding to other business.

70. Upon a call of the Convention for the yeas and nays on any question the names of the delegates shall be called in alphabetical order.

71. When the reading of a paper is called for, and the same is objected to by any delegate, the question shall be determined by a vote of the Convention.

72. No memorial, remonstrance or petition shall be printed in full in the daily Journal unless ordered by the Convention.

73. Whenever any delegate is about to speak in debate or deliver any matter to the Convention, he shall rise in his seat and respectfully address himself to "Mr. President," and confine himself to the question under debate, and avoid personalities, and no motion shall be considered in order unless made from the seat allotted to the delegate.

74. Any two or more delegates shall have the liberty to dissent from, and protest, in respectful language, against any act taken or resolution adopted which they shall think injurious to the public or any individual, and have the reasons for their dissent entered upon the Journal.

75. Questions shall be put substantially in this form, viz: "As many as are of the opinion that" (as the case may be) "say 'aye,'" and, after the affirmative vote is expressed, "As many as are of the contrary opinion say 'No'". If the President doubts, or if a division be called for, the Convention shall divide; those in the affirmative shall first rise from their seats, and afterwards those in the negative.

76. On all appeals from the decisions of the Chair, (which must be seconded) the question shall be "Shall the judgment of the Chair stand as the judgment of the Convention?" which shall be decided by a rising vote, unless otherwise ordered by the Convention.

77. No rule shall be suspended without the vote on roll call or division, of two-thirds of the delegates present; nor shall any rule be altered or amended without one day's notice being given of the motion thereof, and the vote on roll call of a majority of the delegates elected, but any amendment or alteration reported by the Committee on Rules and Procedure may be adopted at any time on roll call or division by a majority of the delegates elected.

78. The rules of parliamentary practice comprised in Cushing's Law and Practice of Legislative Assemblies, shall govern the Convention in all cases in which they are applicable and in which they are not inconsistent with the rules of the Convention.

79. The provisions of an act entitled: "An Act to assemble a Convention to revise, alter or amend the Constitution of the State of Illinois," approved June 21, 1919, shall obtain and control in all respects insofar as same applies to the acts or proceedings of this Convention, in the same manner as if such provision or provisions was or were incorporated herein as part hereof and as supplemental hereto. That no rule, act or proceeding of this Convention shall be construed to in any manner conflict with or contradict any of the provisions of said act.

The Secretary then proceeded to take up the rules numerically, section by section, for consideration as follows:

Section 1. No change.
Section 2. No change.
Section 3. No change.
Section 4. No change.
Section 5. No change.
Section 6.

Mr. Michaelson offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend section 6, by striking out the words "one week" and inserting in lieu thereof the words "one day."

The question being on the adoption of the amendment.

It was decided in the negative.

Section 7. No change.
Section 8. No change.
Section 9. No change.
Section 10. No change.
Section 11. No change.
Section 12. No change.
Section 13. No change.
Section 14. No change.
Section 15.

Mr. Michal offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend section 15 by substituting therefor the following: "The Convention shall be in session upon Tuesdays, Wednesdays and Thursdays of each and every week from 10:00 o'clock a. m., to 5:00 o'clock p. m., unless otherwise ordered by a majority of the delegates.

The question being on the adoption of the amendment.

It was decided in the negative.

At the hour of 12:30 o'clock p. m., Mr. Lindly moved that the Convention do now take a recess until 2:30 o'clock p. m.

And the motion prevailed.

2:30 o'CLOCK P. M.

The hour of 2:30 o'clock p. m. having arrived, the Convention resumed its session.

The President presiding.

The order of business at the hour of taking a recess being the consideration of the report of the Committee on Rules, the same was again taken up.

Section 16. No change.
Section 17. No change.
Section 18. No change.
Section 19. No change.
Section 20.

Mr. Jarman offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Insert after the word "rejected," in line 5 of Rule 20 the following: "Provided, that no such report shall be made by any committee prior to the first day of March, 1920."

The question being on the adoption of the amendment.

It was decided in the negative.

Section 21. No change.
Section 22. No change.
Section 23. No change.
Section 24. No change.
Section 25.

Mr. Dunlap offered the following amendment and moved its adoption:

AMENDMENT No. 4.

Amend section 25 by striking out the word "unfinished" in the last line of said section and inserting between the words "the" and "order" the word "same" and by adding the following at the end of said section: "after the special orders theretofor set for such succeeding day."

The question being on the adoption of the amendment.

It was decided in the affirmative.

Section 26. No change.
Section 27.

Mr. Jarman offered the following amendment and moved its adoption:

AMENDMENT No. 5.

Amend section 27 by adding the following: "and every Delegate within the bar of the Convention when a question is stated from the Chair shall vote thereon, unless he be excused by the Convention."

The question being on the adoption of the amendment.

It was decided in the negative.

Section 28. No. change.
Section 29. No. change.
Section 30. No. change.
Section 31. No. change.
Section 32. No. change.
Section 33.

Mr. Jarman offered the following amendment and moved its adoption:

AMENDMENT No. 6.

Amend section 33 as follows: Strike out all after the figure 33, and insert the following: "A request to be excused from voting, or an explanation of a vote by any Delegate shall be a question of privilege; and any member requesting to be excused from voting, or desiring to explain his vote, may make, when his name is called, a brief statement of his reasons for making such request, or an explanation of his vote, not exceeding three

minutes in time, and the Convention, without debate, shall decide if it will grant such request to be excused from voting; but nothing in this rule contained shall abridge the right of any member to record his vote on any question previous to the announcement of the result."

The question being on the adoption of the amendment.

It was decided in the negative.

Section 34.

Mr. Dunlap offered the following amendment and moved its adoption:

AMENDMENT No. 7.

Amend section 34 by striking out the word "agriculture" in line 12 and by creating an additional committee to be known as the Committee on Agriculture consisting of 15 members.

Pending consideration, Mr. Rinaker offered the following substitute and moved its adoption:

Amend section 34 in line 12 by striking out the words "Industrial Affairs, Agriculture and Labor" and inserting in lieu thereof the words "Economic Relations."

Mr. Dunlap moved to lay the substitute on the table.

And the question being on the motion to table.

It was decided in the affirmative.

The question recurring on the adoption of Amendment No. 7, a division was had resulting as follows: Yeas, 53; nays, 36.

And Amendment No. 7 was adopted.

Mr. Scanlan offered the following amendment and moved its adoption:

AMENDMENT No. 8.

Amend section 34, in line 14 by striking out the figures "15" and inserting in lieu thereof the figures "21."

The question being on the adoption of the amendment.

It was decided in the negative.

Section 35. No change.

Section 36.

Mr. Dove offered the following amendment and moved its adoption:

AMENDMENT No. 9.

Amend section 36, by inserting after the last word, "public" the following: Any person who desires to appear before any of the standing or select committees of this Convention for the purpose of presenting arguments for or against any proposition committed to the consideration of any committee of the Convention or pending before the Convention itself, shall first register his or her name and address with the Secretary of this Convention or with the secretary of any committee before which he or she may desire to appear, together with all information as to the capacity in which he or she so appears, the fact whether or not he or she has received or expects to receive compensation for such service and by whom said compensation is to be paid. All records of the Secretary provided for under this rule shall be open to the public.

Mr. Michal moved to lay the amendment on the table.

And the question being on the motion to table.

It was decided in the affirmative.

Section 37. No change.
Section 38. No change.
Section 39. No change.
Section 40. No change.
Section 41. No change.
Section 42. No change.
Section 43. No change.
Section 44.

Mr. Hull offered the following amendment and moved its adoption:

AMENDMENT No. 10.

Amend section 44 by striking out the word "except" in line 3 of said section.

The question being on the adoption of the amendment.

It was decided in the affirmative.

Section 45. No change.
Section 46. No change.
Section 47. No change.
Section 48. No change.
Section 49.

Mr. Rinaker offered the following amendment and moved its adoption:

AMENDMENT No. 11.

Amend section 49, by inserting after the word "committee" in line 3 thereof, the words "present and voting on the question."

The question being on the adoption of the amendment.

It was decided in the affirmative.

Section 50. No change.
Section 51.

Mr. Michaelson offered the following amendment and moved its adoption:

AMENDMENT No. 12.

Amend by the addition of Rule 51A as follows: At least 90 days prior to the day of election at which the Constitution shall be submitted to a vote of the electors of the State of Illinois, the Convention, under the supervision of the President and Secretary, shall have printed, published and mailed to every qualified voter in the State, a copy of the Constitution as adopted by the Convention, together with a majority brief on each article, same not to exceed 500 words and a minority brief to any article, same not to exceed 500 words, said majority brief to bear the signature of the chairman of the committee having had the matter in charge and said minority brief if any there be, to be signed by Delegate or Delegates submitting the same.

The question being on the adoption of the amendment.

It was decided in the negative.

Section 52. No change.
Section 53. No change.
Section 54. No change.

Section 55. No change.
Section 56. No change.
Section 57. No change.
Section 58. No change.
Section 59. No change.
Section 60. No change.
Section 61. No change.
Section 62.

Mr. Dunlap offered the following amendment and moved its adoption:

AMENDMENT No. 13.

Amend section 62 by inserting after the word "Convention" in the fifth line of the printed rule the following "Provided that should the member giving notice of a motion to reconsider not make such motion within the time prescribed by the rules, any other members voting in the majority may make such motion within the next session of the Convention.

The question being on the adoption of the amendment.

It was decided in the affirmative.

Section 63. No change.
Section 64. No change.
Section 65. No change.
Section 66.

Mr. Rinaker offered the following amendment and moved its adoption:

AMENDMENT No. 14.

Amend section 66, by inserting after the word "court" in line 3 thereof, the words "members of former Constitutional Conventions of this State."

The question being on the adoption of the amendment.

It was decided in the affirmative.

Section 67. No change.
Section 68. No change.
Section 69. No change.
Section 70. No change.
Section 71. No change.
Section 72. No change.
Section 73. No change.
Section 74. No change.
Section 75. No change.
Section 76. No change.
Section 77. No change.
Section 78. No change.
Section 79.

Mr. Dawes offered the following amendment and moved its adoption:

AMENDMENT No. 15.

Amend by striking out all of section 79.

Pending consideration, Mr. Sutherland moved that further consideration of Amendment No. 15 be postponed until tomorrow.

And the question being on the motion to postpone.

It was decided in the negative.

The question recurring on the adoption of Amendment No. 15, a division was had resulting as follows: Yeas, 47; nays, 38.

And the amendment was adopted.

The question then being, "Shall the report of the Committee on Rules, as amended, be adopted?"

It was decided in the affirmative.

Mr. Gorman offered the following resolution and moved its adoption:

RESOLUTION No. 7.

WHEREAS, Almost at the inception of our labors, the Angel of Death has descended upon us and removed from our midst, Delegate Michael F. Sullivan of the Second Senatorial District; and,

WHEREAS, In the decease of him, who has suddenly been summoned across the Great Divide, the people of Cook County have lost an efficient public officer, who has for numerous years functioned in divers ministerial positions of civic trust; and,

WHEREAS, In his death, this Constitutional Convention is bereft of one whose learning and vast experience would have lent lustre to its solemn deliberations, and many Delegates now mourn the loss of an intimate friend of long association; therefore, be it,

Resolved, That the President of the Convention appoint a committee of Delegates to attend the funeral of our late co-Delegate, Michael F. Sullivan; that these resolutions be entered upon the Journal of the Convention and a copy of the same be sent by the Secretary of the Convention to the family of the deceased; and in order to show our sorrow for the demise of our lamented co-Delegate and to renew our reverential allegiance to the Divinity which shapes our destiny, that we do now adjourn.

The resolution was unanimously adopted by a rising vote.

The President announced the appointment of the following committee to attend the funeral: Messrs. Gorman, O'Brien, Rosenberg, Michaelson, Corcoran, Potts, Kunde, Pincus, Iarussi, Beckman, Traeger, Latchford, Davis, Wolff, Chas. Woodward, Frole, McEwen, Michal, Sutherland and E. H. Dupee.

And in accordance therewith, at the hour of 6:05 o'clock p. m., the Convention stood adjourned.

THURSDAY, JANUARY 15, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Lester Leake Riley, of the Christ Episcopal Church, of Springfield.

The Journal of yesterday was being read, when, on motion of Mr. Shanahan, the further reading of the same was dispensed with and it was ordered to stand approved.

The President laid before the Convention the appointment of the following committees, provided for under the rules, to-wit:

Rules and Procedure—Mr. President, Chairman; Green, Shanahan, Curtis, Hamill, Trautman, Gale, Wall, Pearce and Quinn.

Expenditures and Supplies—Wilson, Chairman; Stahl, Taff, Paddock and Six.

Mr. Gale offered the following resolution and moved its adoption:

RESOLUTION No. 8.

Resolved, That the President of this Convention be and he is hereby authorized to appoint the following employees to the respective positions hereinafter enumerated at the respective compensations hereinafter provided as follows:

One legal secretary to the President at the rate of $350 per month.
One private Secretary to the President at the rate of $180 per month.
One stenographer to the President at the rate of $125 per month.
One messenger to the President at the rate of $105 per month.
One janitor for the executive offices at the rate of $105 per month.
One Sergeant-at-Arms at the rate of $200 per month.
One First Assistant Sergeant-at-Arms at the rate of $150 per month.
Five assistants to the Sergeant-at-Arms at the rate of $125 per month each.
Nine janitors at the rate of $105 per month each.
Two cloakroom attendants at the rate of $105 per month each.
One toilet room attendant at the rate of $105 per month.
One assistant postmaster at the rate of $125 per month.
One postmaster at the rate of $125 per month.
One mail carrier at the rate of $105 per month.
Ten pages at the rate of $12 per week each.
Twenty stenographers and clerks at the rate of $125 per month each.
One press messenger at the rate of $150 per month.
One first assistant to the Secretary at the rate of $275 per month.
One second assistant to the Secretary at the rate of $200 per month.
One Journal Clerk at the rate of $180 per month.
Two file clerks at the rate of $150 per month each.
Two stenographers to the Secretary at the rate of $150 per month each.
One bookkeeper to the Secretary at the rate of $150 per month.
One janitor for the Secretary's offices at the rate of $105 per month.
One Chaplain at the rate of $40 per week.
One clerk to the Committee on Phraseology and Style at the rate of $200 per month.
Two typists to the Committee on Phraseology and Style at the rate of $150 per month.

Pending consideration, Mr. Revell moved that the resolution be referred to the Committee on Expenditures and Supplies.

And the motion was lost.

The question recurring on the adoption of the resolution, a call of the roll was had resulting as follows: Yeas, 78; nays, 3.

Those voting in the affirmative are: Messrs.

Baldwin	Dietz	Hamill	Mighell	Shuey
Barr	Dryer	Hogan	Miller	Smith
Beckman	Dunlap	Hollenbeck	Mills	Stahl
Brandon	Dupee, E. H.	Jack	Moore	Stewart
Brenholt	Dupuy, G. A.	Jarman	Nichols	Sutherland
Brewster	Elting	Johnson, W. A.	O'Brien	Tanner
Carlstrom	Fifer	Kerrick	Paddock	Todd
Chew	Fyke	Kunde	Parker	Torrance
Clarke	Gale	Latchford	Pincus	Trautmann
Conkling	Ganschow	Lill	Quinn	Wall
Coolley	Garrett	Lindly	Revell	Whitman
Corlett	Gee	Lohman	Rinaker	Wilson
Cruden	Gilbert	Mack	Scanlan	Wolff
Curtis	Goodyear	McGuire	Shanahan	Woodward
Dawes	Gray	Meinert	Shaw	Mr. President
De Young	Green	Michaelson		Yeas—78.

Those voting in the negative are: Messrs.

Cutting	Dove	Six	Nays—3.

And the resolution was adopted.

The Convention proceeding on the order of Introduction of Proposals.

Mr. Mighell introduced Proposal No. 1, a Proposal to provide against double taxation of real estate.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Carlstrom introduced Proposal No. 2, a Proposal touching preamble.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Carlstrom introduced Proposal No. 3, a Proposal touching boundaries and jurisdiction.

The Proposal was taken up, read by title, and advanced for reference.

M. Carlstrom introduced Proposal No. 4, a Proposal touching bill of rights.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Carlstrom introduced Proposal No. 5, a Proposal touching separation of three departments of government.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Carlstrom introduced Proposal No. 6, a Proposal touching Legislative Department.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Carlstrom introduced Proposal No. 7, a Proposal touching Executive Department.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Carlstrom introduced Proposal No. 8, a Proposal touching Judicial Department.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Carlstrom introduced Proposal No. 9, a Proposal touching suffrage.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Carlstrom introduced Proposal No. 10, a Proposal touching education.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Carlstrom introduced Proposal No. 11, a Proposal touching revenue.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Carlstrom introduced Proposal No. 12, a Proposal touching counties.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Carlstrom introduced Proposal No. 13, a Proposal touching corporations.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Carlstrom introduced Proposal No. 14, a Proposal touching militia.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Carlstrom introduced Proposal No. 15, a Proposal touching warehouses.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Carlstrom introduced Proposal No. 16, a Proposal touching methods of amendment.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Carlstrom introduced Proposal No. 17, a Proposal touching separate sections.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Carlstrom introduced Proposal No. 18, a Proposal touching the "Schedule."

The Proposal was taken up, read by title, and advanced for reference.

Mr. Carlstrom introduced Proposal No. 19, a Proposal relating to the preamble and sections of the Constitution of 1870.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Dunlap introduced Proposal No. 20, a Proposal to amend section 1 of Article VII of the Constitution.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Beckman introduced Proposal No. 21, a Proposal for home rule for cities.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Beckman introduced Proposal No. 22, a Proposal in aid of home rule for cities.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Jarman introduced Proposal No. 23, a Proposal in relation to sedition.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Jarman introduced Proposal No. 24, a Proposal to amend Article VIII of the Constitution, in relation to education.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Jarman introduced Proposal No. 25, a Proposal to amend sections 6, 7 and 8 of Article 4 of the Constitution, relating to apportionment and the number of Senators and Representatives in the General Assembly.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Jarman introduced Proposal No. 26, a Proposal to amend Article 6, being the article of the Judiciary Department.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Green moved that when the Convention adjourns today it stand adjourned until 10:00 o'clock a. m., Tuesday, January 20, 1920.

And the motion prevailed.

Mr. Jarman offered the following resolution and moved its adoption:

RESOLUTION No. 9.

WHEREAS, The 12th day of February, 1920, is the anniversary of the birth of Abraham Lincoln; therefore be it

Resolved, That this Convention commemorate said event on that day by appropriate exercises; and be it further

Resolved, That the President be and he is hereby authorized to make the necessary arrangements therefor.

And the resolution was adopted.

At the hour of 11:00 o'clock a. m., Mr. Brenholt moved that the Convention do now adjourn.

The motion prevailed and the Convention stood adjourned until Tuesday, January 20, 1920, at 10:00 o'clock a. m.

TUESDAY, JANUARY 20, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. A. E. Browning, of the Harvard Park Baptist Church, of Springfield.

The Journal of Thursday, January 15, was being read, when, on motion of Mr. Hamill, the further reading of the same was dispensed with and it was ordered to stand approved.

The President laid before the Convention a petition from the Boys' Brotherhood Republic dealing with the interests of Boys, which was referred to the Committee on Distinction Between Constitutional and Legislative Subjects.

Mr. Carlstrom asked unanimous consent of the Convention to withdraw Proposals Nos. 8, 16, 17 and 19, introduced by him on January 15.

The request was granted and the Proposals were thereupon withdrawn from further consideration by the Convention.

Mr. Wilson, from the Committee on Expenditures and Supplies, offered the following resolution and moved its adoption:

Resolution No. 10.

Resolved, By the Convention that the President be, and he is hereby, authorized to appoint a competent person as official reporter to report and transcribe all the proceedings and debates occuring within the Convention hall, and, be it further

Resolved, That the compensation of such official reporter for such reporting and transcribing be at the rate of three hundred and fifty ($350.00) dollars per week.

And the resolution was adopted.

The Convention proceeding on the order of Introduction of Proposals.

Mr. Revell introduced Proposal No. 27, a Proposal to amend section 1 of Article VIII.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Nichols introduced Proposal No. 28, a Proposal to extend suffrage to citizens in the military service.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Whitman introduced Proposal No. 29, a Proposal for the proposed judiciary system under the new Constitution.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Stahl introduced Proposal No. 30, a Proposal to prevent discrimination and extortion in rates charged by public utility corporations.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Mills introduced Proposal No. 31, a Proposal to amend section 18 of Article 2, Bill of Rights.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Mills introduced Proposal No. 32, a Proposal to amend section 3 of Article 2.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Mills introduced Proposal No. 33, a Proposal to amend section 5 of Article 5, Executive Department.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Mills introduced Proposal No. 34, a Proposal to amend section 1 of Article 7, suffrage.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Mills introduced Proposal No. 35, a Proposal to amend section 1 of Article VIII.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Corlett introduced Proposal No. 36, a Proposal to invest the Probate Court with chancery jurisdiction to administer testamentary trusts, and to partition real estate while administering estates.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Corlett introduced Proposal No. 37, a Proposal to secure representation in the General Assembly for every county in the State of Illinois.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Jarman introduced Proposal No. 38, a Proposal to amend Article 6, in relation to the Judiciary Department and the Appellate Court.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Jarman introduced Proposal No. 39, a Proposal to amend Article 6, in relation to the Judiciary Department.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Jarman introduced Proposal No. 40, a Proposal to amend Article 6, in relation to the Supreme and Appellate Court entering final judgment.

The Proposal was taken up, read by title, and advanced for reference.

The Convention proceeding on the order of First Reading and Reference of Proposals.

Proposal No. 1, a Proposal to provide against double taxation of real estate.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance, when appointed.

Proposal No. 2, a Proposal to continue the preamble of the present Constitution in the new Constitution.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Bill of Rights, when appointed.

Proposal No. 3, a Proposal to amend and change the present article of the Constitution relative to the boundaries of the State.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Miscellaneous Subjects, when appointed.

Proposal No. 4, a Proposal to continue the present bill of rights with certain exceptions.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Bill of Rights, when appointed.

Proposal No. 5, a Proposal to provide for the separation of the government into three departments.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Miscellaneous Subjects, when appointed.

Proposal No. 6, a Proposal to create the Legislative Department.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Legislative Department, when appointed.

Proposal No. 7, a Proposal to create the Executive Department.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Executive Department, when appointed.

Proposal No. 8, withdrawn.

Proposal No. 9, a Proposal to define the right of suffrage.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Suffrage, when appointed.

Proposal No. 10, a Proposal to retain Article 8, present Constitution on "Education" with certain amendments.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Education, when appointed.

Proposal No. 11, a Proposal to retain in the new Constitution certain sections of the revenue article in the present Constitution.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, taxation and Finance, when appointed.

Proposal No. 12, a Proposal to retain in the new Constitution certain sections of the article on counties in the present Constitution.

Was taken up, read at large a first time, ordered printed and referred to the Committee on County and Township Government, when appointed.

Proposal No. 13, a Proposal to retain in the new Constitution certain sections of the article on corporations in the present Constitution.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Corporations and Cooperative Associations, when appointed.

Proposal No. 14, a Proposal to retain in the new Constitution the article on militia in the present Constitution.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Military Affairs, when appointed.

Proposal No. 15, a Proposal to retain in the new Constitution the article on warehouses in the present Constitution.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Distinction between Constitutional and Legislative Subjects, when appointed.

Proposal No. 16, withdrawn.

Proposal No. 17, withdrawn.

Proposal No. 18, a Proposal to retain in the new Constitution certain sections of the present Constitution relative to schedule.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Schedule, when appointed.

Proposal No. 19, withdrawn.

Proposal No. 20, a Proposal to amend section 1 of Article VII of the Constitution.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Suffrage, when appointed.

Proposal No. 21, a Proposal for home rule for cities.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Chicago and Cook County, when appointed.

Proposal No. 22, a Proposal in aid of home rule for cities.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Chicago and Cook County, when appointed.

Proposal No. 23, a Proposal to declare certain acts by public officers, sedition.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Distinction between Constitutional and Legislative Subjects, when appointed.

Proposal No. 24, a Proposal to amend Article VIII of the Constitution, in relation to education.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Education, when appointed.

Proposal No. 25, a Proposal to amend sections 6, 7 and 8 of Article 4 of the Constitution, relating to apportionment and the number of Senators and Representatives in the General Assembly.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Legislative Department, when appointed.

Proposal No. 26, a Proposal to amend Article 6, being the article of the Judicial Department.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judiciary Department, when appointed.

At the hour of 11:05 o'clock a. m., Mr. Curtis moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

WEDNESDAY, JANUARY 21, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. T. N. Ewing, of the First Methodist Episcopal Church, of Springfield.

The Journal of yesterday was being read, when, on motion of Mr. Brenholt, the further reading of the same was dispensed with and it was ordered to stand approved.

The President called to the attention of the Convention the provision of the rules requiring that all resolutions involving the expenditure of moneys be adopted by a yea and nay vote on a roll call and stated that on yesterday Resolution No. 10, offered by Mr. Wilson, was adopted by a viva voce vote and thereupon, by unanimous consent, the vote by which the resolution was adopted was reconsidered and the roll called on its adoption by the yea and nay vote by the Convention, as follows:

Those voting in the affirmative are: Messrs.

Baldwin	Dawes	Green	Meinert	Stahl
Barr	De Young	Hamill	Mighell	Stewart
Beckman	Dove	Hogan	Miller	Sutherland
Brandon	Dunlap	Hollenbeck	Mills	Taff
Brenholt	Dupee, E. H.	Hull	Moore	Todd
Carey	Dupuy, G. A.	Jarman	Morris	Torrance
Carlstrom	Elting	Johnson, L. C.	Nichols	Traeger
Chew	Fifer	Johnson, W. A.	Paddock	Trautmann
Conkling	Fyke	Kerrick	Potts	Wall
Coolley	Gale	Kunde	Quinn	Warren
Corcoran	Ganschow	Latchford	Revell	Whitman
Corlett	Garrett	Lill	Rinaker	Wilson
Cruden	Gilbert	Lindly	Shanahan	Wolff
Curtis	Goodyear	Lohman	Shaw	Mr. President
Cutting	Gorman	Mack	Six	Yeas—77.
Davis	Gray	McGuire		Nays—0.

And the resolution was adopted.

The President laid before the Convention the papers in the election contest in the Thirty-first District entitled Robert E. Burke vs. William H. Beckman and Eugene H. Dupee, which were referred to the Committee on Qualifications and Election of Delegates, when appointed.

Mr. Cruden presented a petition from the Central Health Committee relating to individual liberty and the profession and practice of healing, which was referred to the Committee on Bill of Rights, when appointed.

The Convention proceeding on the order of Introduction of Proposals.

Mr. Cruden introduced Proposal No. 41, a Proposal to amend section 8 of Article 10 of the Constitution in relation to the election and qualifications of sheriffs and county treasurers.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Cruden introduced Proposal No. 42, a Proposal to amend sections 1, 2 and 3 of Article 5 of the Constitution in relation to qualifications, election and tenure of the State Treasurer.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Cruden introduced Proposal No. 43, a Proposal in regard to taxation.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Dove introduced Proposal No. 44, a Proposal in regard to income taxes.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Smith introduced Proposal No. 45, a Proposal to amend section 8 of Article 10 of the Constitution in relation to the election and qualifications of sheriffs and county treasurers.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Carlstrom introduced Proposal No. 46, a Proposal to retain in the new Constitution the separate section of the present Constitution entitled "Convict Labor."

The Proposal was taken up, read by title, and advanced for reference.

Mr. Carlstrom introduced Proposal No. 47, a Proposal to retain in the new Constitution the separate section of the present Constitution entitled "Canal."

The Proposal was taken up, read by title, and advanced for reference.

Mr. Carlstrom introduced Proposal No. 48, a Proposal to retain in the new Constitution the separate section entitled "Municipal subscription to Railroads or private Corporations" in the present Constitution.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Carlstrom introduced Proposal No. 49, a Proposal to retain in the new Constitution separate section of the present Constitution entitled "Illinois Central Railroad."

The Proposal was taken up, read by title, and advanced for reference.

Mr. Scanlan introduced Proposal No. 50, a Proposal in regard to executive and administrative powers.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Scanlan introduced Proposal No. 51, a Proposal in relation to section 32 of Article 6.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Scanlan introduced Proposal No. 52, a Proposal in relation to section 8, Article 10 of the Constitution of 1870.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Cruden introduced Proposal No. 53, a Proposal to amend section 1 of Article 7 of the Constitution, in relation to woman suffrage and the eligibility of women to jury service.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Cruden introduced Proposal No. 54, a Proposal in regard to revenue.

The Proposal was taken up, read by title, and advanced for reference.

The Convention proceeding on the order of First Reading and Reference of Proposals.

Proposal No. 27, a Proposal to provide free schools.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Education when appointed.

Proposal No. 28, a Proposal to extend suffrage to citizens in the military service.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Suffrage, when appointed.

Proposal No. 29, a Proposal for a proposed judiciary system.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department, when appointed.

Proposal No. 30, a Proposal to prevent discrimination and extortion in rates charged by public utility corporations.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Corporations and Cooperative Associations, when appointed.

Proposal No. 31, a Proposal to amend section 18 of Article 2, Bill of Rights affecting elections.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Bill of Rights, when appointed.

Proposal No. 32, a Proposal for guaranteeing freedom of worship.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Bill of Rights, when appointed.

Proposal No. 33, a Proposal requiring the Governor or Lieutenant Governor to be an American born citizen.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Executive Department, when appointed.

Proposal No. 34, a Proposal to extend suffrage to women and prevent all persons non compos mentis from voting.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Suffrage, when appointed.

Proposal No. 35, a Proposal for teaching English to adult foreigners in public schools and for conducting public schools in the English language only and incorporating, private institutions of learning in State educational systems.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Education, when appointed.

Proposal No. 36, a Proposal to invest the Probate Court with chancery jurisdiction to administer testamentary trusts, and to partition real estate while administering estates.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department, when appointed.

Proposal No. 37, a Proposal to secure representation in the General Assembly for every county in the State of Illinois.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Legislative Department, when appointed.

Proposal No. 38, a Proposal to amend Article 6, in relation to the Judiciary Department and the Appellate Court.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department, when appointed.

Proposal No. 39, a Proposal to amend Article 6, in relation to the Judiciary Department, providing that courts shall always be open.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department, when appointed.

Proposal No. 40, a Proposal to amend Article 6, in relation to the Supreme and Appellate Courts entering final judgment.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department, when appointed.

Mr. Wilson, from the Committee on Expenditures and Supplies, offered the following resolution and moved its adoption:

RESOLUTION No. 11.

Resolved, By the Convention, that the President, with the approval of the Committee on Expenditures and Supplies, be and he is hereby authorized to incur and certify vouchers for the legitimate and necessary expenses for the following purposes:

Incidental and other expenses of committees.

Rent of typewriters.

Printing of Journal, hand books, calendars for the day and of Proposals.

Telephones and telegrams.

All necessary incidental expenses not specifically stated herein.

The question being on the adoption of the resolution, a call of the roll was had, resulting as follows: Yeas, 82; nays, 0.

Those voting in the affirmative are: Messrs.

Baldwin	Dove	Hollenbeck	Miller	Stahl
Barr	Dunlap	Hull	Mills	Stewart
Beckman	Dupuy, G. A.	Ireland	Moore	Sutherland
Brandon	Elting	Jarman	Morris	Taff
Brenholt	Fifer	Johnson, L. C.	Nichols	Tanner
Carey	Fyke	Kerrick	Paddock	Todd
Carlstrom	Gale	Kunde	Potts	Torrance
Chew	Ganschow	Latchford	Revell	Traeger
Conkling	Garrett	Lill	Rinaker	Trautmann
Coolley	Gee	Lindly	Rosenberg	Wall
Corcoran	Gilbert	Lohman	Scanlan	Warren
Corlett	Goodyear	Mack	Shanahan	Whitman
Cruden	Gorman	McGuire	Shaw	Wilson
Curtis	Gray	Meinert	Shuey	Wolff
Cutting	Green	Michaelson	Six	Mr. President
Davis	Hamill	Michal	Smith	Yeas—82.
De Young	Hogan	Mighell		Nays—0.

And the resolution was adopted.

Mr. Carlstrom offered the following resolution and moved its adoption:

RESOLUTION No. 12.

Resolved, That the Preamble and sections of the Constitution of 1870, recommended to be retained and adopted as a part of the Revised Constitution of 1920, of the State of Illinois, as set forth in the series of Proposals numbered 2 to 18 inclusive, excepting Proposals numbered 8, 16 and 17 and Proposals numbered 46, 47, 48 and 49 together with the amended sections designated and proposed to be amended by said resolutions be printed by and under the supervision of the Secretary, as proposed to be amended by said Proposals in skeleton form leaving space and numbers for sections not proposed to be so retained, and copies when so printed distributed to the Delegates of this Convention. All added or substituted new words to be in italics, and all words stricken from the original text to be enclosed in brackets.

Pending consideration, Mr. Hamill moved that the resolution be referred to the Committee on Expenditures and Supplies.

The motion prevailed.

And it was so ordered.

Mr. Rosenberg offered the following resolution and moved its adoption:

RESOLUTION No. 13.

Resolved, That following the prayer of the Chaplain on the opening of each session of this Constitutional Convention, the Secretary shall call the roll of the Delegates, and that the names of all Delegates present and those who may be absent shall be kept and recorded in the Official Journal of the Convention.

Pending a demand of five Delegates for a roll call on the adoption of the resolution.

Mr. Cutting moved that the resolution be referred to the Committee on Rules.

And the motion prevailed.

Mr. Jarman offered the following resolution and moved its adoption:

RESOLUTION No. 14.

Resolved, That hereafter the Convention dispense with the reading of the Journal, and that amendments thereto may be made on the legislative day following that on which the printed Journal is placed on the desks of the members.

By unanimous consent, the resolution was referred to the Committee on Rules.

Mr. Green moved that when the Convention adjourns today it stand adjourned until Wednesday, January 28, 1920, at 10:00 o'clock a. m.

And the motion prevailed.

At the hour of 11:15 o'clock a. m., Mr. Hamill moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned until Wednesday, January 28, 1920, at 10:00 o'clock a. m.

WEDNESDAY, JANUARY 28, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. J. F. Robinson, of the Methodist Episcopal Church, of Gilman.

Pending the reading of the Journal of Wednesday, January 21, Mr. Trautmann moved that further reading of the same be dispensed with and that the Journal be approved.

Whereupon, Mr. Hull moved to amend the motion by striking out the word approved.

And the question being on the motion to amend.

It was decided in the affirmative.

The question recurring on the motion of Mr. Trautmann, as amended.

It was decided in the affirmative and further reading of the Journal was dispensed with.

Upon request of Mr. Paddock, Mr. Conkling was excused from attendance at the Convention on account of sickness.

The same request was granted to Mr. O'Brien for Mr. Rosenberg.

To Mr. Clarke for Mr. Whitman.

To Mr. Smith for Mr. Stahl.

To Mr. L. C. Johnson for Mr. W. A. Johnson.

And to Mr. Wall for Mr. Sneed who was called to Washington, D. C., on official business.

The President laid before the Convention the appointment of the following standing committees, to-wit:

Agriculture—Dunlap, Chairman; Warren, Stewart, Ireland, Shaw, Hollenbeck, Meinert, Gray, Tanner, Dove, Cruden, Whitman, Johnson (L. C.), Parker and Gee.

Bill of Rights—Rinaker, Chairman; Wall, Morris, Carey, Corlett, Cooley, Dawes, Shuey, Davis, Revell, Scanlan, Quinn, Pincus, Elting, and Nichols.

Chicago and Cook County—Hull, Chairman; Wilson, Traeger, Mayer, Sutherland, Kunde, Woodward (Charles), Miller, Michal, Wall, Chew, Quinn, Clarke, Smith, and Carlstrom.

Corporations and Co-operative Associations—Fyke, Chairman; Dawes, Kunde, Michal, Baldwin, Rosenberg, Parker, Ireland, Todd, Brenholt, Elting, Beckman, Lohman, Ganschow, and Warren.

County and Township Government—Smith, Chairman; Dove, McGuire, Lill, Taff, Hogan, Jarman, Gray, Nichols, O'Brien, and Ganschow.

Distinction Between Constitutional and Legislative Subjects—Dietz, Chairman; Brewster, McEwen, Michaelson, Mack, Corlett, and Dwyer.

Education—Brandon, Chairman; Dunlap, Barr, Gray, Beckman, Iarussi, Corcoran, Rosenberg, and Carey.

Executive Department—Trautmann, Chairman; DeYoung, Cutting, Miller, Iarussi, Potts, Whitman, Brewster, Green, Gilbert, Hogan, Johnson (L. C.), Dietz, Tanner, and Six.

Future Amendments of the Constitution—Fifer, Chairman; Corlett, Revell, Moore, Gilbert, Hamill, Pincus, Shuey, Mighell, Wolff, and Torrance.

Industrial Affairs and Labor—Sneed, Chairman; Miller, Parker, Baldwin, Mighell, Fyke, Brenholt, Potts, Iarussi, Gorman, Carey, Frole, Shaw, Revell, and Michal.

Initiative, Referendum and Recall—Dove, Chairman; Kunde, Latchford, Wolff, Frole, Potts, Corcoran, Jack, Kerrick, McGuire, Carlstrom, Taff, Dupuy (G. A.), Mills, and Goodyear.

Judicial Department—DeYoung, Chairman; Cutting, Green, Mack, Conkling, McEwen, Mayer, Dupuy (G. A.), Gorman, Gee, Dryer, Goodyear, Garrett, Pearce, and Todd.

Legislative Department—Curtis, Chairman; Shanahan, Fifer, Rinaker, Mighell, Quinn, Lindley, Dunlap, Hull, Morris, Traeger, Latchford, Baldwin, Paddock, and Stahl.

Military Affairs—Beckman, Chairman; Tanner, Meinert, Davis, Hollenbeck, Moore, Nichols, Coolley, and Cruden.

Miscellaneous Subjects—O'Brien, Chairman; Coolley, Lohman, Michaelson, Meinert, Lill, Pincus, Brandon, Paddock, Johnson (W. A.), and Hollenbeck.

Municipal Government—Garrett, Chairman; Stahl, Brandon, Carlstrom, Gee, Jarman, Scanlan, Chew, Woodward (Charles), Johnson (W. A.), Hogan, Lill, Jack, Michaelson, and Corcoran.

Phraseology and Style—Hamill, Chairman; Rinaker, Moore, Dupee (E. H.), Torrance, Clarke, and Barr.

Public Works and Improvements—Lindly, Chairman; Scanlan, Ireland, Wilson, Chew, Johnson (L. C.), Stewart, Ganschow, and Jarman.

Qualifications and Election of Delegates—Wolff, Chairman; Woodward (Charles), Mayer, Shaw, McEwen, Rosenberg, Fifer, Gale, and Pearce.

Revenue, Taxation and Finance—Gale, Chairman; Whitman, Sutherland, Dawes, Sneed, Dupee (E. H.), Kerrick, Warren, Barr, Johnson (W. A.), Brenholt, Fkye, Shuey, Davis, and O'Brien.

Schedule—Dupuy (G. A.), Chairman; Elting, Gorman, Mills, Morris, Curtis, and Trautmann.

Suffrage—Cruden, Chairman; Traeger, Frole, Todd, Stewart, Six, Mills, McGuire, and Lohman.

The Convention proceeding on the order of Reports of Standing Committees.

The President laid before the Convention the following report from the Committee on Rules and Procedure, to-wit:

COMMITTEE REPORT.

Your Committee on Rules and Procedure respectfully report that in accord with rule 19 they have prepared a list designating the parts of the Constitution to be referred to each committee, and in accordance therewith respectfully report that the provisions of the Constitution of 1870 shall stand referred to the several standing committees of this Convention as follows:

The preamble and Article II to the Committee on Bill of Rights.

Article I to the Miscellaneous Committee.

Article III, section 26 of Article IV and Article VI to the Committee on Judicial Department.

Article IV, except sections 26, 29 and 34 to the Committee on Legislative Department.

Article V and section 13 of Article X to the Committee on Executive Department.

Article VII to the Committee on Suffrage.

Article VIII to the Committee on Education.

Article IX to the Committee on Revenue, Taxation and Finance.

Section 34 of Article IV and section 7 of Article X to the Committee on Chicago and Cook County.

Section 29 of Article IV and separate section No. 4, relating to convict labor to the Committee on Industrial Affairs and Labor.

Article X except sections 7 and 13 to the Committee on County and Township Government.

Article XI except section 4 and separate section No. 1 regarding the Illinois Central Railroad to the Committee on Corporations and Co-operative Associations.

Section 4 of Article XI and separate section No. 2, relating to municipal subscriptions to the Committee on Municipal Government.

Article XII to the Committee on Military Affairs.

Article XIII to the Committee on Distinction between Constitutional and Legislative Subjects.

Article XIV to the Committee on Future Amendment of the Constitution.

Separate section No. 3, relating to canals, to the Committee on Public Works and Improvements.

Sections 1 to 7 and 13 to 26, inclusive, of the Schedule to the Committee on Schedule.

Sections 8 to 12, inclusive, of the Schedule to the Committee on Submission and Address.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

The President laid before the Convention the further report from the Committee on Rules and Procedure, to-wit:

COMMITTEE REPORT.

The Committee on Rules and Procedure, at the request of the President, who, by resolution, was directed to perfect plans for the celebration of the birthday of Abraham Lincoln, report to the Convention for approval that exercises appropriate to this occasion be made a special order of business at eleven o'clock in the forenoon on Thursday, February 12th; that the program suggested by the President in furtherance of the spirit of said resolution be held in this Convention hall pursuant to this special rule; and that a committee of five be appointed by the President to assist him in carrying out the program and plans for these ceremonies.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

The President thereupon appointed as the committee provided for in the foregoing report Messrs. Jarman, Brenholdt, Michaelson, Dove and Latchford.

The Convention proceeding on the order of Introduction of Proposals.

Mr. Cruden introduced Proposal No. 55, a Proposal to provide for a system of local government for the city of Chicago.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Miller introduced Proposal No. 56, a Proposal in regard to the Judicial Department.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Smith introduced Proposal No. 57, a Proposal to prohibit cumulative voting for any public office.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Dawes introduced Proposal No. 58, a Proposal to fix the electorate to which revisions, alterations and amendments adopted by this Convention shall be submitted for ratification or rejection.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Taff introduced Proposal No. 59, a Proposal relating to county government.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Taff introduced Proposal No. 60, a Proposal relating to county government.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Dunlap, by request, introduced Proposal No. 61, a Proposal to provide for a thorough and efficient system of public libraries in this State.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Dunlap, by request, introduced Proposal No. 62, a Proposal to authorize the levy of taxes by counties for public library purposes and to provide for the exemption of persons and property in certain municipalities from county library taxes levied by the counties in which such municipalities are located.

The Proposal was taken up, read by title, and advanced for reference.

Mr. O'Brien introduced Proposal No. 63, a Proposal in regard to taxation.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Gray introduced Proposal No. 64, a Proposal to provide that sheriffs and county treasurers may be eligible to succeed themselves in office.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Gray introduced Proposal No. 65, a Proposal to provide that the personal compensation of no county officer shall be dependent upon the amount of the fees collected by his office.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Kerrick introduced Proposal No. 66, a Proposal in regard to section 1 of Article 9.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Jarman introduced Proposal No. 67, a Proposal to amend section 17 of Article 6, in relation to the qualification of Judges of Inferior Courts.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Jarman introduced Proposal No. 68, a Proposal to amend Article 6 of the Judiciary Department in relation to Supreme Court.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Pincus introduced Proposal No. 69, a Proposal in regard to taxation.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Johnson introduced Proposal No. 70, a Proposal authorizing the General Assembly to regulate the grand jury system.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Johnson introduced Proposal No. 71, a Proposal to provide a system of taxation for the State of Illinois.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Michal introduced Proposal No. 72, a Proposal relative to the assessment of taxes upon real estate.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Michal introduced Proposal No. 73, a Proposal defining intoxicating liquors and beverages.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Michal introduced Proposal No. 74, a Proposal granting power and authority to municipalities to license and regulate boxing contests.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Michal introduced Proposal No. 75, a Proposal prohibiting professional wrestling exhibitions.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Michal introduced Proposal No. 76, a Proposal exempting from taxation certain personal property.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Michal introduced Proposal No. 77, a Proposal for the manufacture, sale and distribution of beers.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Scanlan introduced Proposal No. 78, a Proposal relating to the consent necessary to the occupation of streets by street railways and tramways.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Scanlan introduced Proposal No. 79, a Proposal for a remedy for encroachment upon the rights, privileges and immunities of citizens.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Smith introduced Proposal No. 80, a Proposal to abolish cumulative voting for members of the Legislature.

The Proposal was taken up, read by title, and advanced for reference.

The Convention proceeding on the order of First Reading and Reference of Proposals.

Proposal No. 41, a Proposal to provide that sheriffs and county treasurers shall be eligible to succeed themselves in office.

Was taken up, read at large a first time, ordered printed and referred to the Committee on County and Township Government.

Proposal No. 42, a Proposal to provide that the State Treasurer shall be elected at the same time as the Governor, for a term of four years, and be eligible to succeed himself in office.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Executive Department.

Proposal No. 43, a Proposal to provide for the exemption from taxation of a certain amount of the personal property owned by householders and heads of families.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 44, a Proposal to provide for the levy and collection of income taxes.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 45, a Proposal to provide that sheriffs and county treasurers shall be eligible to succeed themselves in office.

Was taken up, read at large a first time, ordered printed and referred to the Committee on County and Township Government.

Proposal No. 46, a Proposal to retain in the new Constitution the separate section of the present Constitution entitled "Convict Labor."

Was taken up, read at large a first time, ordered printed and referred to the Committee on Industrial Affairs and Labor.

Proposal No. 47, a Proposal to retain in the new Constitution the separate section of the present Constitution entitled "Canal."

Was taken up, read at large a first time, ordered printed and referred to the Committee on Public Works and Improvements.

Proposal No. 48, a Proposal to retain in the new Constitution the separate section entitled "Municipal subscription to railroads or private corporations" in the present Constitution.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Municipal Government.

Proposal No. 49, a Proposal to retain in the new Constitution separate section of the present Constitution entitled "Illinois Central Railroad."

Was taken up, read at large a first time, ordered printed and referred to the Committee on Corporations and Cooperative Associations.

Proposal No. 50, a Proposal to define judicial power and to prohibit the exercise of judicial power by any agency except the Judicial Department of the State Government.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Executive Department.

Proposal No. 51, a Proposal to provide for the filling of vacancies in the elective offices created by Article 6 of the existing Constitution relating to the Judicial Department of the State Government.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 52, a Proposal to provide that sheriffs and county treasurers shall be eligible to succeed themselves in office.

Was taken up, read at large a first time, ordered printed and referred to the Committee on County and Township Government.

Proposal No. 53, a Proposal to establish equal suffrage and to provide for optional jury service for women.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Suffrage.

Proposal No. 54, a Proposal to provide a system of taxation for the State of Illinois.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Mr. Sutherland moved that the Convention do now resolve itself into a Committee of the Whole for the purpose of considering Proposal No. 41.

Pending consideration, Mr. Baldwin moved to lay that motion on the table.

And the question being on the motion to table, it was decided in the negative.

The question recurring on the motion of Mr. Sutherland, it was decided in the affirmative.

The President thereupon called Mr. Hull to the chair, and at the hour of 11:15 o'clock a. m., the Convention went into Committee of the Whole.

At the hour of 6:10 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Hull, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

The report of the Committee was concurred in.

And at the hour of 6:12 o'clock p. m., Mr. Trautmann moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

THURSDAY, JANUARY 29, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. J. F. Robinson, of the Methodist Episcopal Church, of Gilman.

The Journal of yesterday was being read, when, on motion of Mr. Brenholdt, the further reading of the same was dispensed with and it was ordered to stand approved.

Mr. Hull moved that the Journal of Wednesday, January 21, be approved.

The motion prevailed.

And it was so ordered.

The Convention proceeding on the order of Introduction of Proposals.

Mr. Lohman introduced Proposal No. 81, a Proposal providing for a system of registering land titles by the State of Illinois or counties thereof.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Sutherland introduced Proposal No. 82, a Proposal to amend section 12 of Article IX, in relation to indebtedness.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Scanlan introduced Proposal No. 83, a Proposal to provide for State supervision of county fiscal affairs.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Dove introduced Proposal No. 84, a Proposal for the non-sectarian reading of the Bible in the public schools.

The Proposal was taken up, read by title, and advanced for reference.

Mr. O'Brien introduced Proposal No. 85, a Proposal to amend Article IX of the Constitution of 1870.

The Proposal was taken up, read by title, and advanced for reference.

Mr. W. A. Johnson introduced Proposal No. 86, a Proposal to authorize verdicts in civil cases by less than a unanimous jury.

The Proposal was taken up, read by title, and advanced for reference.

The Convention proceeding on the order of First Reading and reference of Proposals.

Proposal No. 55, a Proposal to provide for a system of local government for the city of Chicago.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Chicago and Cook County.

Proposal No. 56, a Proposal to establish a judicial system for the State of Illinois.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 57, a Proposal to prohibit cumulative voting for any public office.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Legislative Department.

Proposal No. 58, a Proposal to fix the electorate to which revision, alteration and amendments adopted by this Convention shall be submitted for ratification or rejection.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Submission and Address.

Proposal No. 59, a Proposal to provide for the election of boards of county commissioners.

Was taken up, read at large a first time, ordered printed and referred to the Committee on County and Township Government.

Proposal No. 60, a Proposal to provide for the abolition of township organization.

Was taken up, read at large a first time, ordered printed and referred to the Committee on County and Township Government.

Proposal No. 61, a Proposal to provide for a thorough and efficient system of public libraries in this State.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Education.

Proposal No. 62, a Proposal to authorize the levy of taxes by counties for public library purposes and to provide for the exemption of persons and property in certain municipalities from county library taxes levied by the counties in which such municipalities are located.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 63, a Proposal to provide for the classification of property for the purposes of taxation; to provide for exemptions from taxation and the limitation of tax rates.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 64, a Proposal to provide that sheriffs and county treasurers may be eligible to succeed themselves in office.

Was taken up, read at large a first time, ordered printed and referred to the Committee on County and Township Government.

Proposal No. 65, a Proposal to provide that the personal compensation of no county officer shall be dependent upon the amount of the fees collected by his office.

Was taken up, read at large a first time, ordered printed and referred to the Committee on County and Township Government.

Proposal No. 66, a Proposal to retain section 1 of Article 9 of the present Constitution with certain words omitted therefrom and certain words added thereto.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 67, a Proposal to amend section 17 of Article 6, in relation to the qualification of Judges of inferior courts.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 68, a Proposal to amend Article 6 of the Judiciary Department, in relation to Supreme Court.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 69, a Proposal to provide for certain exemptions from taxation.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 70, a Proposal to authorize the General Assembly to regulate the grand jury system.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Bill of Rights.

Proposal No. 71, a Proposal to provide a system of taxation for the State of Illinois.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 72, a Proposal relative to the assessment of taxes upon real estate.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 73, a Proposal defining intoxicating liquors and beverages.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Distinction Between Constitutional and Legislative Subjects.

Proposal No. 74, a Proposal granting power and authority to municipalities to license and regulate boxing contests.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Distinction Between Constitutional and Legislative Subjects.

Proposal No. 75, a Proposal prohibiting professional wrestling exhibitions.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Distinction Between Constitutional and Legislative Subjects.

Proposal No. 76, a Proposal exempting from taxation certain personal property.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 77, a Proposal for the manufacture, sale and distribution of beers.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Distinction between Constitutional and Legislative Subjects.

Proposal No. 78, a Proposal to provide that the local authorities of cities, towns and villages shall have full power to prescribe the conditions upon which the streets, alleys or highways under their jurisdiction shall be used for street railway purposes.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Municipal Government.

Proposal No. 79, a Proposal to provide a remedy for the encroachment upon the rights and privileges of the people of this State.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Bill of Rights.

Proposal No. 80, a Proposal to abolish cumulative voting for members of the Legislature.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Legislative Department.

Mr. Taff, from the Committee on Expenditures and Supplies, offered the following resolution and moved its adoption:

RESOLUTION No. 15.

Resolved, That the President be and he is hereby authorized to appoint a competent person as Proof Reader for the Convention at a salary not to exceed $150.00 per month.

And the question being on the adoption of the resolution, a call of the roll was had, resulting as follows: Yeas, 82; nays, 0.

Those voting in the affirmative are: Messrs.

Baldwin	Dunlap	Ireland	Miller	Smith
Barr	Dupee, E. H.	Jack	Mills	Stewart
Beckman	Dupuy, G. A.	Jarman	Moore	Sutherland
Brandon	Elting	Johnson, L. C.	Morris	Taff
Brenholt	Fifer	Kerrick	Nichols	Tanner
Carlstrom	Fyke	Kunde	O'Brien	Todd
Chew	Ganschow	Latchford	Parker	Torrance
Clarke	Garrett	Lill	Pearce	Traeger
Coolley	Gee	Lindly	Potts	Trautmann
Corcoran	Gilbert	Lohman	Quinn	Wall
Corlett	Gorman	Mack	Revell	Warren
Cruden	Gray	Mayer	Rinaker	Wilson
Cutting	Green	McGuire	Shanahan	Wolff
Dawes	Hamill	Meinert	Shaw	Woodward
De Young	Hogan	Michaelson	Shuey	Mr. President
Dove	Hull	Michal	Six	
Dryer	Iarussi	Mighell		

Yeas—82.
Nays—0.

And the resolution was adopted.

Mr. Pearce offered the following resolution and moved its adoption:

RESOLUTION No. 16.

Resolved, That the President of this Convention be and he is hereby directed to extend an invitation from this body to the Hon. Lawrence Y. Sherman and the Hon. Medill McCormick, now representing the State of Illinois in the Senate of the United States, requesting them to appear before and address this Convention on Wednesday, February 25, 1920, upon the general subjects involved in the work of this body.

And the resolution was adopted.

Mr. Hull moved that the Convention do now resolve itself into a Committee of the Whole for the purpose of further considering Proposal No. 55.

And the motion prevailed.

The President thereupon called Mr. Hull to the chair, and at the hour of 11:30 o'clock a. m., the Convention went into a Committee of the Whole.

At the hour of 1:32 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Hull, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

At the hour of 1:35 o'clock p. m., Mr. Gale moved that the Convention do now adjourn until Tuesday, February 3, 1920, at 10:00 o'clock a. m.

The motion prevailed.

And the Convention stood adjourned.

TUESDAY, FEBRUARY 3, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Phillip W. Yarrow, of the Morgan Park Congregational Church, of Chicago.

The Journal of Thursday, January 29, was being read, when, on motion of Mr. Hamill, the further reading of the same was dispensed with and it was ordered to stand approved.

Upon request, the following Delegates were excused from attendance at the Convention on account of sickness: Messrs. Wolff, Gee, Rosenberg, Stahl, Dietz, L. C. Johnson, Pearce, Paddock, Potts and Corcoran.

The Convention proceeding on the order of Introduction of Proposals.

Mr. Lindly introduced Proposal No. 87, a Proposal to provide for the apportionment of the State of representation in the General Assembly.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Gilbert introduced Proposal No. 88, a Proposal to extend by Constitution suffrage to absent voters.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Gilbert introduced Proposal No. 89, a Proposal to extend the powers of the General Assembly relating to the Judicial Department of the State Government.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Mighell introduced Proposal No. 90, a Proposal to provide for future Constitutional Conventions and amendments to the Constitution.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Elting introduced Proposal No. 91, a Proposal to amend Article VI, being the Judicial Department.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Six introduced Proposal No. 92, a Proposal to provide for the taxation of real property in the State of Illinois.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Sutherland introduced Proposal No. 93, a Proposal relating to future amendments of the Constitution.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Jarman introduced Proposal No. 94, a Proposal to give to cities and other municipal corporations the power to contract.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Cruden introduced Proposal No. 95, a Proposal to provide that the county board shall determine the number and compensation of the deputies and assistants of county officers in Cook County.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Lohman introduced Proposal No. 96, a Proposal to retain for cities, towns or incorporated villages the right to permit the constructing, operating and regulating of public utilities.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Pincus introduced Proposal No. 97, a Proposal to preserve and secure the right of trial by jury in all law cases, and in cases where a person is being tried for the violation of an injunction.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Pincus introduced Proposal No. 98, a Proposal in relation to athletic exhibitions.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Mills introduced Proposal No. 99, a Proposal to amend section 2 of Article 8 to read as follows.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Mills introduced Proposal No. 100, a Proposal to repeal section 11 of Article 6 of the Constitution.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Mills introduced Proposal No. 101, a Proposal to amend section 3 of Article 9 to read as follows.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Mills introduced Proposal No. 102, a Proposal to amend section 2 of Article 6 in relation to the Supreme Court so that it shall read as follows.

The Proposal was taken up, read by title, and advanced for reference.

The Convention proceeding on the order of First Reading and Reference of Proposals.

Proposal No. 81, a Proposal to provide for a system of registering land titles by the State of Illinois or counties thereof.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Distinction between Constitutional and Legislative Subjects.

Proposal No. 82, a Proposal to amend section 12, of Article IX, in relation to indebtedness.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 83, a Proposal to provide for State supervision of county fiscal affairs.

Was taken up, read at large a first time, ordered printed and referred to the Committee on County and Township Government.

Proposal No. 84, a Proposal to provide for the non-sectarian reading of the Bible in the public schools.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Education.

Proposal No. 85, a Proposal to amend Article IX of the Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 86, a Proposal to authorize verdicts in civil cases by less than a unanimous jury.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Bill of Rights.

At the hour of 10:40 o'clock a. m., Mr. Hull moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

WEDNESDAY, FEBRUARY 4, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Phillip W. Yarrow, of the Morgan Park Congregational Church, of Chicago.

The Journal of yesterday was being read, when, on motion of Mr. Hamill the further reading of the same was dispensed with, and it was ordered to stand approved.

Upon their request, Messrs. Wall and Gilbert were granted leave of absence from the Convention for the remainder of the week.

The following Delegates were excused from attendance of the Convention on account of sickness: Messrs. Mack, Wolff, Brewster and Dietz.

The Convention proceeding on the order of Introduction of Proposals.

Mr. Dove introduced Proposal No. 103, a Proposal exempting certain real estate from taxes.

The Proposal was taken up, read by title and advanced for reference.

Mr. Gilbert introduced Proposal No. 104, a Proposal to authorize holding Circuit Courts outside of county seats in cities of 5,000 inhabitants and over.

The Proposal was taken up, read by title and advanced for reference.

Mr. Gilbert introduced Proposal No. 105, a Proposal to provide for the election of Judges of the Appellate Court.

The Proposal was taken up, read by title and advanced for reference.

Mr. Wilson introduced Proposal No. 106, a Proposal to provide that the right of free speech shall not authorize the use of language tending to overthrow the Government.

The Proposal was taken up, read by title and advanced for reference.

Mr. Dryer introduced Proposal No. 107, a Proposal to provide for compensation for employees injured in course of employment.

The Proposal was taken up, read by title and advanced for reference.

Mr. Scanlan introduced Proposal No. 108, a Proposal to incorporate in the Bill of Rights a provision guaranteeing a remedy to citizens for damages resulting from the acts of administrative officers.

The Proposal was taken up, read by title and advanced for reference.

The Convention proceeding on the order of First Reading and reference of Proposals.

Proposal No. 87, a Proposal to provide for the apportionment of the state for representation in the General Assembly.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Legislative Department.

Proposal No. 88, a Proposal to extend by Constitution suffrage to absent voters.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Suffrage.

Proposal No. 89, a Proposal to extend the powers of the General Assembly relating to the Judicial Department of the State Government.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 90, a Proposal to provide for Future Constitutional Conventions and amendments to the Constitution.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Future Amendment of the Constitution.

Proposal No. 91, a Proposal to amend Article VI, being the Judicial Department.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 92, a Proposal for the taxation of real property in the State of Illinois.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 93, a Proposal relating to future amendments of the Constitution.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Future Amendments of the Constitution.

Proposal No. 94, a Proposal to give to cities and other municipal corporations the power to contract.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Municipal Government.

Proposal No. 95, a Proposal to provide that the county board shall determine the number and compensation of the deputies and assistants of county officers in Cook County.

Was taken up, read at large a first time, ordered printed and referred to the Committee on County and Township Government.

Proposal No. 96, a Proposal to retain for cities, towns and incorporated villages the right to permit the constructing, operating and regulating of public utilities.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Municipal Government.

Proposal No. 97, a Proposal to preserve and secure the right of trial by jury in all law cases, and in cases where a person is being tried for the violation of an injunction.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Bill of Rights.

Proposal No. 98, a Proposal in relation to athletic exhibitions.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Distinction between Constitutional and Legislative Subjects.

Proposal No. 99, a Proposal to provide for the exemption from taxation of property heretofore or hereafter donated for school purposes.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Education.

Proposal No. 100, a Proposal to abolish Appellate Courts.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 101, a Proposal to provide for the exemption of certain property from taxation.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 102, a Proposal to provide for a Supreme Court.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Mr. Gorman offered the following resolution, which on motion of Mr. Beckman was referred to the Committee on Expenditures and Supplies:

RESOLUTION No. 17.

WHEREAS, Michael F. Sullivan, after a campaign for the position, was elected a delegate to this Constitutional Convention from the Second Senatorial District; and

WHEREAS, Within a few days following the assembling of this Convention said Michael F. Sullivan was summoned to the Great Beyond; and

WHEREAS, There was a certain definite expense connected with his said campaign and the needs of his family are such as to require the compensation attached to the office; now, therefore be it

Resolved, That it is the sense of this Constitutional Convention that the compensation allowed to delegate members thereof be paid to the surviving widow of said Michael F. Sullivan, or to his legal representatives.

The President laid before the Convention the certificate for the mileage of Delegates with the following statement:

"The act under which this Convention is convened provides by section 6 thereof that

'The pay and mileage allowed to each delegate shall be certified to by the President of the Convention, and entered on the Journal of the Convention.'

The President has heretofore certified the pay of the delegates. The President now presents the certificate for the mileage of the delegates and directs that both certificates be made a part of the Journal of this Convention."

The certificates above referred to are in words and figures as follows to-wit:

STATEMENT OF COMPENSATION PAID TO DELEGATES OF THE CONSTITUTIONAL CONVENTION.

Members.	Salary.	Mileage.	Postage and stationary account.	Total amount paid.
Baldwin, Percival G.	$2,000 00	$39 00	$50 00	$2,089 00
Barr, George A.	2,000 00	30 00	50 00	2,080 00
Beckman, William H.	2,000 00	38 00	50 00	2,088 00
Brandon, Rodney H.	2,000 00	37 10	50 00	2,087 10
Brenholt, John J., Jr.	2,000 00	14 80	50 00	2,064 80
Brewster, Edward H.	2,000 00	34 50	50 00	2,084 50
Carey, Archibald J.	2,000 00	38 00	50 00	2,088 00
Carlstrom, Oscar E.	2,000 00	32 60	50 00	2,082 60
Chew, William H.	2,000 00	12 00	50 00	2,062 00
Clarke, Elam L.	2,000 00	45 40	50 00	2,095 40
Conkling, Clinton L.	2,000 00	none	50 00	2,050 00
Coolley, E. B.	2,000 00	22 00	50 00	2,072 00
Corcoran, Edward J.	2,000 00	37 20	50 00	2,087 20
Corlett, Edward	2,000 00	30 00	50 00	2,080 00

STATEMENT OF COMPENSATION—Continued.

Members.	Salary.	Mileage.	Postage and stationary account.	Total amount paid.
Cruden, William H.	2,000 00	39 40	50 00	2,089 40
Curtis, Edward C.	2,000 00	31 20	50 00	2,081 20
Cutting, Charles S.	2,000 00	38 80	50 00	2,088 80
Davis, Abel	2,000 00	38 20	50 00	2,088 20
Dawes, Rufus C.	2,000 00	39 60	50 00	2,089 60
Dietz, Cyrus E.	2,000 00	32 00	50 00	2,082 00
DeYoung, Frederick R.	2,000 00	35 00	50 00	2,085 00
Dove, F. R.	2,000 00	12 00	50 00	2,062 00
Dryer, John L.	2,000 00	11 20	50 00	2,061 20
Dunlap, Henry M.	2,000 00	18 00	50 00	2,068 00
Dupee, Eugene H.	2,000 00	38 00	50 00	2,088 00
Dupuy, George A.	2,000 00	38 00	50 00	2,088 00
Elting, Philip E.	2,000 00	20 10	50 00	2,070 10
Fifer, Joseph W.	2,000 00	11 80	50 00	2,061 80
Frole, Thomas F.	2,000 00	37 00	50 00	2,087 00
Fyke, Edgar E.	2,000 00	20 60	50 00	2,070 60
Gale, George C.	2,000 00	25 60	50 00	2,075 60
Ganschow, William	2,000 00	38 00	50 00	2,088 00
Garrett, Bruce H.	2,000 00	54 40	50 00	2,104 40
Gee, Sylvester J.	2,000 00	31 60	50 00	2,081 60
Gilbert, G. Gale	2,000 00	32 00	50 00	2,082 00
Goodyear, A. F.	2,000 00	25 40	50 00	2,075 40
Gorman, John J.	2,000 00	37 50	50 00	2,087 50
Gray, William S.	2,000 00	19 20	50 00	2,069 20
Green, Henry I.	2,000 00	18 00	50 00	2,068 00
Hamill, Charles H.	2,000 00	37 40	50 00	2,087 40
Hogan, George W.	2,000 00	40 00	50 00	2,090 00
Hollenbeck, Wm. T.	2,000 00	33 40	50 00	2,083 40
Hull, Morton D.	2,000 00	38 20	50 00	2,088 20
Iarussi, Michael	2,000 00	37 00	50 00	2,087 00
Ireland, Charles H.	2,000 00	18 60	50 00	2,068 60
Jack, James P.	2,000 00	24 20	50 00	2,074 20
Jarman, Lewis A.	2,000 00	16 60	50 00	2,066 60
Johnson, Lawrence C.	2,000 00	24 00	50 00	2,074 00
Johnson, Watts A.	2,000 00	35 80	50 00	2,085 80
Kerrick, Thomas C.	2,000 00	12 20	50 00	2,062 20
Kunde, Ernst	2,000 00	38 00	50 00	2,088 00
Latchford, George P.	2,000 00	38 20	50 00	2,088 20
Lill, Herbert F.	2,000 00	24 20	50 00	2,074 20
Lindley, Cicero J.	2,000 00	18 80	50 00	2,068 80
Lohman, George F.	2,000 00	38 60	50 00	2,088 60
McEwen, Willard M.	2,000 00	38 40	50 00	2,088 40
McGuire, S. W.	2,000 00	31 40	50 00	2,081 40
Mack, David E.	2,000 00	24 20	50 00	2,074 20
Mayer, Levi	2,000 00	38 00	50 00	2,088 00
Meinert, Henry W.	2,000 00	33 00	50 00	2,083 00
Michael, Charles J.	2,000 00	38 20	50 00	2,088 20
Michaelson, M. A.	2,000 00	38 20	50 00	2,088 20
Mighell, Lee	2,000 00	37 20	50 00	2,087 20
Miller, Amos C.	2,000 00	40 00	50 00	2,090 00
Mills, Andrew H.	2,000 00	8 00	50 00	2,058 00
Moore, Charles B. T.	2,000 00	8 00	50 00	2,058 00
Morris, Edward H.	2,000 00	38 00	50 00	2,088 00
Nichols, James	2,000 00	37 00	50 00	2,087 00
O'Brien, Martin J.	2,000 00	38 00	50 00	2,088 00
Paddock, James H.	2,000 00	none	50 00	2,050 00
Parker, Charles V.	**2,000 00**	**46 60**	**50 00**	**2,096 60**
Pearce, Prince A.	2,000 00	44 60	50 00	2,094 60
Pincus, S. E.	2,000 00	37 40	50 00	2,087 40
Potts, Ernest D.	2,000 00	37 40	50 00	2,087 40
Quinn, Frank J.	2,000 00	14 40	50 00	2,064 40
Revell, Alexander H.	2,000 00	38 00	50 00	2,088 00
Rinaker, Thos.	2,000 00	12 00	50 00	2,062 00
Rosenberg, Michael	2,000 00	38 00	50 00	2,088 00
Scanlan, William M.	2,000 00	26 40	50 00	2,076 40
Shanahan, David E.	2,000 00	38 00	50 00	2,088 00
Shaw, Guy L.	2,000 00	10 20	50 00	2,060 20
Shuey, Charles A.	2,000 00	37 60	50 00	2,087 60
Six, Rollo	2,000 00	16 40	50 00	2,066 40
Smith, Arthur M.	2,000 00	64 00	50 00	2,114 00
Sneed, William J.	2,000 00	42 20	50 00	2,092 20
Stahl, Harry H.	2,000 00	60 00	50 00	2,110 00
Stewart, William	2,000 00	24 80	50 00	2,074 80
Sutherland, Douglas	2,000 00	38 60	50 00	2,088 60
Taff, A. E.	2,000 00	19 80	50 00	2,069 80

STATEMENT OF COMPENSATION—Concluded.

Members.	Salary.	Mileage.	Postage and stationary account.	Total amount paid.
Tanner, J. Mack	2,000 00	22 20	50 00	2,072 20
Todd, Hiram E	2,000 00	14 40	50 00	2,064 40
Torrance, H. E	2,000 00	18 80	50 00	2,068 80
Traeger, John E	2,000 00	38 20	50 00	2,088 20
Trautmann, William E	2,000 00	20 40	50 00	2,070 40
Wall, William A	2,000 00	49 20	50 00	2,099 20
Warren, Alvin	2,000 00	50 00	50 00	2,100 00
Whitman, Frank S	2,000 00	55 80	50 00	2,105 80
Wilson, Walter H	2,000 00	38 20	50 00	2,088 20
Wolff, Oscar	2,000 00	39 60	50 00	2,089 60
Woodward, Charles	2,000 00	38 80	50 00	2,088 80
Woodward, Charles E	2,000 00	33 00	50 00	2,083 00

At the hour of 11:00 o'clock A. M., Mr. Green moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

THURSDAY, FEBRUARY 5, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Phillip W. Yarrow, of the Morgan Park Congregational Church, of Chicago.

The Journal of yesterday was being read, when, on motion of Mr. Sutherland, the further reading of the same was dispensed with and it was ordered to stand approved.

The Convention proceeding on the order of Introduction of Proposals.

Mr. Cruden introduced Proposal No. 109, a Proposal to provide for a tax upon the income of bachelors.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Wilson introduced Proposal No. 110, a Proposal to require monthly settlements by persons charged with the duty of collecting county and local taxes.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Wilson, by request, introduced Proposal No. 111, a Proposal to provide for the consolidation of local governments having jurisdiction wholly or partly within the city of Chicago.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Six introduced Proposal No. 112, a Proposal to establish the militia of the State of Illinois.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Hull introduced Proposal No. 113, a Proposal to prevent taxation without representation.

The Proposal was taken up, read by title, and advanced for reference.

The Convention proceeding on the order of First Reading and Reference of Proposals.

Proposal No. 103, a Proposal exempting certain real estate from taxes.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 104, a Proposal to authorize holding Circuit Courts outside of county seats in cities of 5,000 inhabitants and over.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 105, a Proposal to provide for the election of Judges of the Appellate Court.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 106, a Proposal to provide that the right of free speech shall not authorize the use of language tending to overthrow the Government.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Bill of Rights.

Proposal No. 107, a Proposal to provide for compensation for employees injured in course of employment.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Industrial Affairs and Labor.

Proposal No. 108, a Proposal to incorporate in the Bill of Rights a provision guaranteeing a remedy to citizens for damages resulting from the acts of administrative officers.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Bill of Rights.

The President, as Chairman, laid before the Convention the following report from the Committee on Rules and Procedure, to-wit:

COMMITTEE REPORT.

Your Committee on Rules and Procedure reports for your approval that Rule 37 of Article VI of the rules of this Convention be amended to read as follows:

"A majority of a committee shall constitute a quorum. All committee reports upon Proposals shall be in writing, and shall be signed by at least a majority of the members of the committee, and shall be accompanied by all the papers in relation thereto. Such reports when made shall be spread upon the Journal.

"Every committee report upon Proposals, shall be in proper sectional form and shall contain no reasons for such Proposal, nor any recital of facts which may have led to the report; but the committee or a reporting minority thereof, if it choose, may present on separate paper a recital of facts with an argument, which, however, shall not be entered on the Journal, except when ordered by the Convention."

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

The President, as Chairman, laid before the Convention the further report from the Committee on Rules and Procedure, to-wit:

COMMITTEE REPORT.

Your Committee on Rules and Procedure to whom was referred Resolution No. 14, introduced by Delegate Jarman, respectfully submits for your approval the following report:

This committee approves the suggestion made in said resolution, and suggests the following amendment to the rules heretofore adopted for the procedure of the Convention:

Resolved, That Rule 23 "Order of Business" be amended to read as follows:

Opening Prayer.
Corrections, if any, and approval of the Journal.
Special orders of the day.
Reports of standing committees.
Reports of select committees.
Introduction of Proposals.
First reading and reference of Proposals.
Second reading of Proposals.
Motions and resolutions.
Unfinished business.
General orders of the day.

Further, resolved, That there be added to the rules of this Convention a new rule to be designated 23½ of Article IV to read as follows:

23½. If on the Convention day following the day on which the printed Journal for the preceding Convention day is placed on the desks of the Delegates, no corrections be made of the Journal as printed for such previous Convention day, the same shall stand approved.

Further, That said Resolution No. 14, as offered, lie upon the table.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

The President, as Chairman, laid before the Convention the further report from the Committee on Rules and Procedure, to-wit:

COMMITTEE REPORT.

Your Committee on Rules and Procedure reports the following special order of business for next Wednesday, February 11:

The consideration in Committee of the Whole of the various Proposals concerning a proposed judicial system, and especially the consideration of Proposal No. 56, introduced by Delegate Miller.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

At the hour of 10:40 o'clock a. m., Mr. Hamill moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

FRIDAY, FEBRUARY 6, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Phillip W. Yarrow, of the Morgan Park Congregational Church, of Chicago.

The Convention proceeding on the order of First Reading and Reference of Proposals.

Proposal No. 109, a Proposal to provide for a tax upon the income of bachelors.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 110, a Proposal to require monthly settlements by persons charged with the duty of collecting county and local taxes.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 111, a Proposal to provide for the consolidation of local governments having jurisdiction wholly or partly within the city of Chicago.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Chicago and Cook County.

Proposal No. 112, a Proposal to establish the militia of the State of Illinois.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Military Affairs.

Proposal No. 113, a Proposal to prevent taxation without representation.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

At the hour of 10:15 o'clock a. m., Mr. Hamill moved that the Convention do now adjourn until Tuesday, February 10, 1920, at 10:00 o'clock a. m.

The motion prevailed.

And the Convention stood adjourned.

TUESDAY, FEBRUARY 10, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by Rabbi Edward L. Israel, of the B'rith Sholomon Temple, of Springfield.

The following Delegates were excused from attendance of the Convention on account of sickness: Messrs. Lindly, McGuire, Potts, Pincus, Parker, Pearce and Barr.

Mr. Brewster was excused for the remainder of the week on account of the death of Mrs. Brewster.

Mr. Taff from the Committee on Expenditures and supplies submitted the following report:

Your Committee on Expenditures and Supplies to which was referred Convention Resolution No. 17 offered by Delegate Gorman of Cook County respectfully report as follows:

The subject matter and purpose expressed in said resolution meets with the approval of your committee. Your committee, however, deem the wording of the resolution to be insufficient and inadequate to accomplish the purpose for which it was offered. Your committee therefore recommend the adoption of a resolution as follows:

RESOLUTION No. 18.

"*Resolved*, That it is the sense of this Convention that the sum of two thousand and fifty dollars ($2,050), being the amount which Michael F. Sullivan, a delegate-elect, would have received had he taken the oath of office as such delegate, be paid to Ethel M. Sullivan, widow of the said Michael F. Sullivan, deceased.

"That the President of this Convention be and he is hereby directed to make, execute, and deliver a voucher to the Auditor of Public Accounts for said sum of money, said vouchēr to be in favor of Ethel M. Sullivan, widow as aforesaid, and the Auditor of Public Accounts is hereby authorized and empowered to pay the same out of moneys appropriated 'for the payment of salaries and other expenses properly incidental to the Constitutional Convention.'

"Your committee further recommends that Resolution No. 17 lie upon the table."

(Signed) WALTER H. WILSON.
A. E. TAFF.
J. H. PADDOCK.
H. H. STAHL.
ROLLO SIX.
Committee.

The question being on the adoption of the report of the committee, a call of the roll was had, resulting as follows: Yeas 73; nays 0.

Those Voting in the affirmative are:

Baldwin	Dietz	Hogan	Miller	Sutherland
Beckman	Dove	Hollenbeck	Mills	Taff
Brenholt	Dunlap	Iarussi	Moore	Tanner
Carlstrom	Dupee, E. H.	Jack	Nichols	Todd
Chew	Dupuy, G. A.	Jarman	O'Brien	Torrance
Clarke	Elting	Johnson, W. A.	Paddock	Traeger
Conkling	Frole	Kerrick	Rinaker	Trautmann
Coolley	Fyke	Kunde	Rosenberg	Wall
Corcoran	Gale	Latchford	Scanlan	Whitman
Corlett	Garrett	Lill	Shanahan	Wilson
Cruden	Gee	Lohman	Shaw	Wolff
Curtis	Gilbert	Mack	Shuey	Woodward
Cutting	Gorman	McEwen	Six	Mr. President
Davis	Gray	Michaelson	Smith	Yeas—73.
Dawes	Green	Michal	Stahl	Nays—0.

And the report of the committee was adopted.

The Convention proceeding on the order of Introduction of Proposals.

Mr. Curtis introduced Proposal No. 114, a Proposal to provide for the exemption of bonds, obligations and other evidence of indebtedness of the State and governmental sub-divisions thereof from taxation.

The Proposal was taken up, read by title and advanced for reference.

Mr. Cutting introduced Proposal No. 115, a Proposal to amend and adopt sections 18, 19 and 20 of Article VI of the Constitution of 1870 relating to county and probate courts.

The Proposal was taken up, read by title and advanced for reference.

Mr. Gilbert introduced Proposal No. 116, a Proposal for additional Judges of County Courts, with Justice of the Peace and other jurisdiction in county seat or such other places as court may select, always in session.

The Proposal was taken up, read by title and advanced for reference.

Mr. Gilbert introduced Proposal No. 117, a Proposal to establish a Probate Court in each county having a population of 20,000 inhabitants.

The Proposal was taken up, read by title and advanced for reference.

Mr. Dupee introduced Proposal No. 118, a Proposal to provide for Excess Condemnation.

The Proposal was taken up, read by title and advanced for reference.

Mr. Dupee introduced Proposal No. 119, a Proposal to provide for Excess Condemnation.

The Proposal was taken up, read by title and advanced for reference.

Mr. Dupee introduced Proposal No. 120, a Proposal relating to Eminent Domain.

The Proposal was taken up, read by title and advanced for reference.

Mr. Dupee introduced Proposal No. 121, a Proposal to revise Article 2, section 13, relating to Eminent Domain.

The Proposal was taken up, read by title and advanced for reference.

Mr. Dupee introduced Proposal No. 122, a Proposal in aid of Zoning.

The Proposal was taken up, read by title and advanced for reference.

Mr. Elting introduced Proposal No. 123, a Proposal to amend Article VI, being the Judicial Department relative to re-hearings in the Appellate Court.

The Proposal was taken up, read by title and advanced for reference.

Mr. Elting introduced Proposal No. 124, a Proposal to amend sections 18 and 19 of Article VI, regarding County Courts.

The Proposal was taken up, read by title and advanced for reference.

Mr. Taff introduced Proposal No. 125, a Proposal to provide for the election of a county judge, sheriff, treasurer and a clerk of the circuit court, and fixing their term of office.

The Proposal was taken up, read by title and advanced for reference.

Mr. Taff introduced Proposal No. 126, a Proposal to provide for the appointment of county clerks and coroners by the board of county commissioners.

The Proposal was taken up, read by title and advanced for reference.

Mr. Taff introduced Proposal No. 127, a Proposal to provide that the compensation of clerks of courts of record, county clerks, treasurer, sheriff, coroner and recorder, shall be fixed by the board of county commissioners.

The Proposal was taken up, read by title and advanced for reference.

Mr. Fyke introduced Proposal No. 128, a Proposal to describe senatorial districts.

The Proposal was taken up, read by title and advanced for reference.

Mr. Green introduced Proposal No. 129, a Proposal to guarantee political freedom to the citizen.

The Proposal was taken up, read by title and advanced for reference.

At the hour of 10:40 o'clock A. M., Mr. Corcoran moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

WEDNESDAY, FEBRUARY 11, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by Rabbi Edward L. Israel, of the B'rith Sholomon Temple, of Springfield.

The Journals of Thursday and Friday, February 5th and 6th respectively, having been printed and placed on the desks of the Delegates, as provided under the rules were taken up and no corrections appearing, were ordered to stand approved.

The Convention proceeding on the Order of Introduction of Proposals.

Mr. Gray introduced Proposal No. 130, a Proposal to amend section 5 of Article VIII of the Constitution of 1870 relating to county superintendent of schools.

The Proposal was taken up, read by title and advanced for reference.

Mr. Gray introduced Proposal No. 131, a Proposal to retain in the proposed Constitution certain sections of the present Constitution relating to the common school system.

The Proposal was taken up, read by title and advanced for reference.

Mr. Shaw introduced Proposal No. 132, a Proposal to provide a judicial system for the State of Illinois.

The Proposal was taken up, read by title and advanced for reference.

Mr. Wolff introduced Proposal No. 133, a Proposal for the initiative and referendum.

The Proposal was taken up, read by title and advanced for reference.

Mr. Wolff introduced Proposal No. 134, a Proposal for the separate submission to the electors of provisions for the initiative and referendum.

The Proposal was taken up, read by title and advanced for reference.

Mr. Gilbert introduced Proposal No. 135, a Proposal to omit mention of justices of the peace, police magistrates and constables as officers in Constitution.

The Proposal was taken up, read by title and advanced for reference.

Mr. Morris introduced Proposal No. 136, a Proposal to add to the Bill of Rights an additional section.

The Proposal was taken up, read by title and advanced for reference.

Mr. Morris introduced Proposal No. 137, a Proposal in relation to the Illinois Central Railroad.

The Proposal was taken up, read by title and advanced for reference.

Mr. Six, by request, introduced Proposal No. 138, a Proposal to provide for the appointment of Circuit Judges by the Governor upon the recommendation of the lawyers of the district.

The Proposal was taken up, read by title and advanced for reference.

Mr. Corlett, by request, introduced Proposal No. 139, a Proposal to establish a Department of Professional Education.

The Proposal was taken up, read by title and advanced for reference.

Mr. Corlett, by request, introduced Proposal No. 140, a Proposal to establish a Department of Trades and Registration.

The Proposal was taken up, read by title and advanced for reference.

The Convention proceeding on the order of First Reading and Reference of Proposals.

Proposal No. 114, a Proposal to provide for the exemption of bonds, obligations and other evidences of indebtedness of the state and governmental sub-divisions thereof from taxation.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 115, a Proposal to amend and adopt sections 18, 19 and 20 of Article VI of the Constitution of 1870 relating to County and Probate Courts.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 116, a Proposal for additional Judges of County Courts, with Justice of the Peace and other jurisdiction in county seat or such other places as court may select, always in session.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 117, a Proposal to establish a Probate Court in each county having a population of 20,000 inhabitants.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 118, a Proposal to provide for excess condemnation.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Bill of Rights.

Proposal No. 119, a Proposal to provide for excess condemnation.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Bill of Rights.

Proposal No. 120, a Proposal relating to eminent domain.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Bill of Rights.

Proposal No. 121, a Proposal to revise Article 2, section 13, relating to eminent domain.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Bill of Rights.

Proposal No. 122, a Proposal in aid of zoning.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Municipal Government.

Proposal No. 123, a Proposal to amend Article VI, being the Judicial Department, relative to re-hearings in the Appellate Court.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 124, a Proposal to amend sections 18 and 19 of Article VI, regarding county courts.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 125, a Proposal to provide for the election of a county judge, sheriff, treasurer and a clerk of the Circuit Court, and fixing their term of office.

Was taken up, read at large a first time, ordered printed and referred to the Committee on County and Township Government.

Proposal No. 126, a Proposal to provide for the appointment of county clerks and coroners by the board of county commissioners.

Was taken up, read at large a first time, ordered printed and referred to the Committee on County and Township Government.

Proposal No. 127, a Proposal to provide that the compensation of clerks of courts of record, county clerks, treasurer, sheriff, coroner and recorder, shall be fixed by the board of county commissioners.

Was taken up, read at large a first time, ordered printed and referred to the Committee on County and Township Government.

Proposal No. 128, a Proposal to describe Senatorial Districts.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Legislative Department.

Proposal No. 129, a Proposal to guarantee political freedom to the citizen.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Bill of Rights.

Mr. Dryer was excused from attendance at the Convention on account of sickness.

Upon his request, Mr. Brandon was excused from attendance at the Convention for the remainder of the week.

In accordance with the Special Order entered on February 5th, the President called Mr. De Young to the chair.

And at the hour of 10:45 a. m., the Convention went into the Committee of the Whole for the consideration of various Proposals concerning a proposed judicial system and especially the consideration of Proposal No. 56.

At the hour of 4:40 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. De Young from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

The report of the committee was concurred in.

And at the hour of 4:42 o'clock p. m., Mr. Brenholt moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

THURSDAY, FEBRUARY 12, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by Rabbi Edward L. Israel, of the B'rith Sholomon Temple, of Springfield.

The Journal of Tuesday February 10th having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing was ordered to stand approved.

The President, as chairman, laid before the Convention the following report from the Committee on Rules and Procedure, to-wit:

COMMITTEE REPORT.

Your Committee on Rules and Procedure reports the following matters for consideration in Committee of the Whole on next Tuesday, February 17th, namely:

The consideration of Proposals numbered 133 and 134, respectively.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

The President, as chairman, laid before the Convention the further report from the Committee on Rules and Procedure, to-wit:

COMMITTEE REPORT.

Your Committee on Rules and Procedure reports the following matters for consideration in Committee of the Whole on next Wednesday, February 18th:

The consideration of the various proposals concerning a proposed judicial system, and especially the consideration of Proposal No. 56.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

The Convention proceeding on the order of First Reading and Reference of Proposals.

Proposal No. 130, a Proposal to amend section 5 of Article VIII of the Constitution of 1870 relating to County Superintendent of Schools.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Education.

Proposal No. 131, a Proposal to retain in the proposed Constitution certain sections of the present Constitution relating to the common school system.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Education.

Proposal No. 132, a Proposal to establish a judicial system for the State of Illinois.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 133, a Proposal for the initiative and referendum.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Initiative, Referendum and Recall.

Proposal No. 134, a Proposal to provide for the separate submission to the electors of provisions for the initiative and referendum.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Submission and Address, when appointed.

Proposal No. 135, a Proposal to omit mention of justices of the peace, police magistrates and constables as officers in Constitution.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 136, a Proposal to add to the Bill of Rights an additional section.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Bill of Rights.

Proposal No. 137, a Proposal in relation to the Illinois Central Railroad.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Corporations and Co-operative Associations.

Proposal No. 138, a Proposal to provide for the appointment of circuit judges by the Governor upon the recommendation of the lawyers of the district.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 139, a Proposal to establish a Department of Professional Education.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Education.

Proposal No. 140, a Proposal to establish a Department of Trades and Registration.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Industrial Affairs and Labor.

Mr. Trautmann offered the following resolution and moved its adoption:

RESOLUTION No. 20.

Resolved, That the Secretary of State be and he is hereby requested to cause to be prepared ready for occupancy by one or more of the committees of this Convention on Tuesday morning next, room 530, in the State House, which said room was by the last General Assembly expressly reserved for the use of this Convention and its committees.

And the resolution was adopted.

Mr. Warren offered the following resolution and moved its adoption:

RESOLUTION No. 21.

WHEREAS, The delegates to the Constitutional Convention of the State of Illinois have learned with sorrow of the death of Mrs. Edward H. Brewster, the beloved wife of Edward H. Brewster, a Delegate to this Convention from

the Thirty-fifth Senatorial District, on the seventh day of February, nineteen hundred and twenty, at Dixon, Illinois; therefore be it

Resolved, That the Delegates to the Constitutional Convention express their deep regret at the loss to Mr. Brewster and to his children, of the loving comradeship and counsel of a devoted wife and mother, and that they extend their sympathy to the members of the bereaved family; and, be it further

Resolved, That this resolution be spread on the records of the Convention and that a copy thereof suitably engrossed be forwarded to the family.

And the resolution was unanimously adopted by a rising vote.

11 O'Clock A. M.

The hour having arrived, the time heretofore fixed by Resolution No. 9, adopted on January 15th, for the holding of appropriate exercises to commemorate the anniversary of the birth of Abraham Lincoln.

The President called Mr. Jarman to the chair.

Whereupon the following program was carried out:

Song, "Battle Hymn of the Republic"—Male quartette.
Address—Captain Oscar E. Carlstrom.
Address—Hon. Clinton L. Conkling.
Song, "Illinois"—Male Quartette.
Address—Former Governor Joseph W. Fifer.

At the conclusion of the exercises, on motion of Mr. Brenholt, a vote of thanks was extended to the distinguished speakers and also to the quartette for the excellent program rendered.

The President having resumed the chair.

At the hour of 1:15 o'clock p. m., Mr. Brenholt moved that the Convention do now adjourn until Tuesday, February 17, 1920, at 10:00 o'clock a. m.

The motion prevailed.

And the Convention stood adjourned.

TUESDAY, FEBRUARY 17, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Father Charles Gilmartin, of the Sacred Heart Church, of East St. Louis.

The Journal of Wednesday, February 11th, having been printed and placed on the desks of the delegates, as provided under the rules, was taken up and no corrections appearing was ordered to stand approved.

Upon request, the following delegates were excused from attendance at the Convention during the remainder of the week on account of sickness: Messrs. Gee, Stahl, O'Brien, Potts, Hull, Revell, McEwen, McGuire and Ireland.

The Convention proceeding on the Order of Introduction of Proposals.

Mr. Mighell introduced Proposal No. 141, a Proposal to apportion the State into Senatorial and Representative Districts.

The Proposal was taken up, read by title and advanced for reference.

Mr. Coolley introduced Proposal No. 142, a Proposal to prescribe the manner of consideration by the General Assembly of Amendments to the Constitution of the United States.

The Proposal was taken up, read by title and advanced for reference.

Mr. Scanlan introduced Proposal No. 143, a Proposal to amend section 22, of Article 4, of the Constitution (Bill of Rights) by inserting in lieu of the last sentence thereof the following:

The Proposal was taken up, read by title and advanced for reference.

Mr. Scanlan introduced Proposal No. 144, a Proposal to amend Article VI, Judicial Department.

The Proposal was taken up, read by title and advanced for reference.

Mr. Scanlan introduced Proposal No. 145, a Proposal to substitute new sections for sections ten (10) and twelve (12) of Article ten (10) of the present Constitution entitled "counties."

The Proposal was taken up, read by title and advanced for reference.

Mr. Jarman introduced Proposal No. 146, a Proposal to amend Article VI of the Constitution with reference to the taking of testimony in equity cases.

The Proposal was taken up, read by title and advanced for reference.

Mr. Jarman introduced Proposal No. 147, a Proposal to amend Article VI in relation to the power of the Supreme Court to declare a law unconstitutional.

The Proposal was taken up, read by title and advanced for reference.

Committee of the Whole.

In accordance with the Special Order entered on February 12th, the President called Mr. Dove to the chair.

And at the hour of 10:30 o'clock a. m., the Convention went into the Committee of the Whole for the consideration of Proposals numbered 133 and 134, respectively.

At the hour of 11:38 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Dove, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

The report of the committee was concurred in.

And at the hour of 11:40 o'clock p. m. Mr. Green moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

WEDNESDAY, FEBRUARY 18, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Father Charles Gilmartin, of the Sacred Heart Church, of East St. Louis.

The Journal of Thursday, February 12th, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The Convention proceeding on the Order of Introduction of Proposals.

Mr. Scanlan introduced Proposal No. 148, a Proposal to prevent monopolies.

The Proposal was taken up, read by title and advanced for reference.

The Convention proceeding on the order of First Reading and Reference of Proposals.

Proposal No. 141, a Proposal to apportion the State into Senatorial and Representative Districts.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Legislative Department.

Proposal No. 142, a Proposal to prescribe the manner of consideration by the General Assembly of Amendments to the Constitution of the United States.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Miscellaneous Subjects.

Proposal No. 143, a Proposal to amend section 22, of Article 4, of the Constitution by inserting in lieu of the last sentence thereof the following.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Legislative Department.

Proposal No. 144, a Proposal to provide for a Judicial Department.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 145, a Proposal to substitute new sections for sections ten (10) and twelve (12) of Article ten (10) of the present Constitution entitled "counties."

Was taken up, read at large a first time, ordered printed and referred to the Committee on County and Township Government.

Proposal No. 146, a Proposal to amend Article VI of the Constitution with reference to the taking of testimony in equity cases.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 147, a Proposal to amend Article VI in relation to the power of the Supreme Court to declare a law unconstitutional.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Mr. Green moved that when the Convention adjourns for the week, it stand suspended until Wednesday, February 25, 1920.

And the motion prevailed.

Special Order.

In accordance with the Special Order entered on February 12th, the President called Mr. De Young to the chair.

And at the hour of 10:45 o'clock a. m., the Convention went into Committee of the Whole for the further consideration of the various Proposals concerning a proposed judicial system and especially the consideration of Proposal No. 56.

At the hour of 4:22 o'clock p. m. the Convention resumed its session.

The President presiding.

Mr. De Young from the Committee of the Whole reported that the Committee has made progress and asked leave to sit again.

The report of the committee was concurred in.

And at the hour of 4:25 o'clock p. m., Mr. Green moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

THURSDAY, FEBRUARY 19, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Father Charles Gilmartin, of the Sacred Heart Church, of East St. Louis.

The Journal of Tuesday, February 17, having been printed and placed on the desks of the members, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The Convention proceeding on the order of Introduction of Proposals.

Mr. Gray introduced Proposal No. 149, a Proposal to omit from the proposed Constitution section 24 of the schedule of the Constitution of 1870.

The Proposal was taken up, read by title and advanced for reference.

Mr. Jarman introduced Proposal No. 150, a Proposal to amend Article X of the Constitution with reference to counties.

The Proposal was taken up, read by title and advanced for reference.

Mr. Jarman introduced Proposal No. 151, a Proposal to amend Article VI of the Judicial Department with reference to the Circuit Court.

The Proposal was taken up, read by title and advanced for reference.

Mr. Jarman introduced Proposal No. 152, a Proposal to amend Article 6 of the Constitution with reference to County Courts.

The Proposal was taken up, read by title and advanced for reference.

Mr. Traeger, by request, introduced Proposal No. 153, a Proposal for home rule for municipal corporations.

The Proposal was taken up, read by title and advanced for reference.

Mr. Lindly, by request, introduced Proposal No. 154, a Proposal to exempt from taxation all funds, moneys and property used exclusively for benevolent and charitable purposes.

The Proposal was taken up, read by title and advanced for reference.

Mr. Fyke introduced Proposal No. 155, a Proposal relating to banking activities.

The Proposal was taken up, read by title and advanced for reference.

Mr. Fyke introduced Proposal No. 156, a Proposal relating to State banks.

The Proposal was taken up, read by title and advanced for reference.

Mr. Lohman, by request, introduced Proposal No. 157, a Proposal to be incorporated in the Constitution relative to the charters of benevolent and fraternal organizations including those heretofore organized and those to be organized in the future.

The Proposal was taken up, read by title and advanced for reference.

Mr. Lill introduced Proposal No. 158, a Proposal to provide for a system of county government.

The Proposal was taken up, read by title and advanced for reference.

The Convention proceeding on the order of First Reading and Reference of Proposals.

Proposal No. 148, a Proposal to prevent monopolies.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Distinction Between Constitutional and Legislative Subjects.

At the hour of 10:20 o'clock a. m., Mr. Green moved that the Convention do now adjourn.

The motion prevailed.

And in accordance with the motion adopted on yesterday the Convention stood adjourned until Wednesday, February 25, 1920, at 10:00 o'clock a. m.

WEDNESDAY, FEBRUARY 25, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Lester Leake Riley, of the Christ Episcopal Church, of Springfield.

The Journal of Wednesday, February 18th, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The Convention proceeding on the Order of Introduction of Proposals.

Mr. Sutherland introduced Proposal No. 159, a Proposal in relation to Home Rule and Consolidation for the City of Chicago and the County of Cook.

The Proposal was taken up, read by title and advanced for reference.

Mr. Kerrick introduced Proposal No. 160, a Proposal to retain, as amended, section 9 of Article 9, of the present Constitution.

The Proposal was taken up, read by title and advanced for reference.

Mr. Kerrick introduced Proposal No. 161, a Proposal to retain, as amended, section 10 of Article 9, of the present Constitution.

The Proposal was taken up, read by title and advanced for reference.

Mr. Gale introduced Proposal No. 162, a Proposal to fix the taxing districts for road purposes.

The Proposal was taken up, read by title and advanced for reference.

Mr. Garrett introduced Proposal No. 163, a Proposal to amend section 13 of Article 3 of the Constitution of 1870.

The Proposal was taken up, read by title and advanced for reference.

Mr. Garrett introduced Proposal No. 164, a Proposal to compel citizens to exercise their right of franchise.

The Proposal was taken up, read by title and advanced for reference.

Mr. Hamill introduced Proposal No. 165, a Proposal to repeal the Fourth Amendment, adopted November 2, 1886, of the Constitution of 1870.

The Proposal was taken up, read by title and advanced for reference.

Mr. Hamill introduced Proposal No. 166, a Proposal to repeal Article XIII of the Constitution of 1870.

The Proposal was taken up, read by title and advanced for reference.

Mr. Hamill introduced Proposal No. 167, a Proposal to repeal section 15 of Article XI of the Constitution of 1870.

The Proposal was taken up, read by title and advanced for reference.

Mr. Hamill introduced Proposal No. 168, a Proposal to repeal section 13 of Article XI of the Constitution of 1870.

The Proposal was taken up, read by title and advanced for reference.

Mr. Hamill introduced Proposal No. 169, a Proposal to repeal section 12 of Article XI of the Constitution of 1870.

The Proposal was taken up, read by title and advanced for reference.

Mr. Hamill introduced Proposal No. 170, a Proposal to repeal section 11 of Article XI of the Constitution of 1870.

The Proposal was taken up, read by title and advanced for reference.

Mr. Hamill introduced Proposal No. 171, a Proposal to repeal section 10 of Article XI of the Constitution of 1870.

The Proposal was taken up, read by title and advanced for reference.

Mr. Hamill introduced Proposal No. 172, a Proposal to repeal section 9 of Article XI of the Constitution of 1870.

The Proposal was taken up, read by title and advanced for reference.

Mr. Hamill introduced Proposal No. 173, a Proposal to repeal section 5 (except the first sentence thereof) of Article XI of the Constitution of 1870.

The Proposal was taken up, read by title and advanced for reference.

Mr. Hamill introduced Proposal No. 174, a Proposal to repeal section 3 of Article XI of the Constitution of 1870.

The Proposal was taken up, read by title and advanced for reference.

Mr. Hamill introduced Proposal No. 175, a Proposal to repeal section 10 of Article X of the Constitution of 1870.

The Proposal was taken up, read by title and advanced for reference.

Mr. Hamill introduced Proposal No. 176, a Proposal to repeal section 9 of Article X of the Constitution of 1870.

The Proposal was taken up, read by title and advanced for reference.

Mr. Hamill introduced Proposal No. 177, a Proposal to repeal section 8 of Article X of the Constitution of 1870.

The Proposal was taken up, read by title and advanced for reference.

Mr. Hamill introduced Proposal No. 178, a Proposal to repeal section 7 of Article X of the Constitution of 1870.

The Proposal was taken up, read by title and advanced for reference.

Mr. Hamill introduced Proposal No. 179, a Proposal to repeal section 6 of Article X of the Constitution of 1870.

The Proposal was taken up, read by title and advanced for reference.

Mr. Hamill introduced Proposal No. 180, a Proposal to repeal section 5 of Article X of the Constitution of 1870.

The Proposal was taken up, read by title and advanced for reference.

Mr. Hamill introduced Proposal No. 181, a Proposal to repeal section 13 of Article IX of the Constitution of 1870.

The Proposal was taken up, read by title and advanced for reference.

Mr. Hamill introduced Proposal No. 182, a Proposal to repeal section 5 of Article VIII of the Constitution of 1870.

The Proposal was taken up, read by title and advanced for reference.

Mr. Hamill introduced Proposal No. 183, a Proposal to repeal section 33 of Article 4 of the Constitution of 1870.

The Proposal was taken up, read by title and advanced for reference.

Mr. Hamill introduced Proposal No. 184, a Proposal to repeal section 32 of Article 4 of the Constitution of 1870.

The Proposal was taken up, read by title and advanced for reference.

Mr. Hamill introduced Proposal No. 185, a Proposal to repeal section 29 of Article 4 of the Constitution of 1870.

The Proposal was taken up, read by title and advanced for reference.

Mr. Scanlan introduced Proposal No. 186, a Proposal to embody in the Article of the new Constitution in relation to taxation the following provision imposing the duty on the owners of property to list the same for taxation and providing remedies for a failure to do so.

The Proposal was taken up, read by title and advanced for reference.

10:55 o'Clock A. M.

At the hour of 10:55 a. m. the Convention suspended the order of business under which it was working for the time being and in response to the invitation previously extended by the Convention, United States Senators Lawrence Y. Sherman and Medill McCormick were introduced by the President and addressed the delegates at length upon general subjects pertaining to the work of the Convention.

At the hour of 1:15 o'clock p. m., Mr. Davis moved that the Convention do now take a recess until 2:00 o'clock p. m.

And the motion prevailed.

2:00 o'Clock P. M.

The hour of 2:00 o'clock p. m. having arrived the Convention resumed its session.

The President presiding.

The Convention again proceeding on the Order of Introduction of Proposals.

Mr. Brenholt introduced Proposal No. 187, a Proposal to provide that the General Assembly fix the compensation of all county officers, and that the county boards fix the amount of clerk hire, stationery and other expenses.

The Proposal was taken up, read by title and advanced for reference.

Mr. Cutting introduced Proposal No. 188, a Proposal to provide for the establishment of Judicial Department.

The Proposal was taken up, read by title and advanced for reference.

Mr. Cutting introduced Proposal No. 189, a Proposal to amend sections 6, 7 and 8 of Article IV of the Constitution relating to apportionment and the number of Senators and Representatives in the General Assembly.

The Proposal was taken up, read by title and advanced for reference.

Mr. Trautmann introduced Proposal No. 190, a Proposal to provide for the time of electing all officers.

The Proposal was taken up, read by title and advanced for reference.

Mr. Johnson introduced Proposal No. 191, a Proposal to revise Article IX, Constitution of 1870.

The Proposal was taken up, read by title and advanced for reference.

Mr. Gee introduced Proposal No. 192, a Proposal to give cities and towns power to own and operate water and light systems.

The Proposal was taken up, read by title and advanced for reference.

Mr. Gee introduced Proposal No. 193, a Proposal to limit the right of suffrage to be a part of Article VII of the Constitution by appropriate section.

The Proposal was taken up, read by title and advanced for reference.

Mr. Gee introduced Proposal No. 194, a Proposal to deny the right of pardon or parole for certain crimes.

The Proposal was taken up, read by title and advanced for reference.

Mr. Gee introduced Proposal No. 195, a Proposal to limit the right to hold office to be a part of Article VII of the Constitution by appropriate section.

The Proposal was taken up, read by title and advanced for reference.

Mr. Gee introduced Proposal No. 196, a Proposal to reclaim swamp and overflowed lands.

The Proposal was taken up, read by title and advanced for reference.

Mr. Mighell introduced Proposal No. 197, a Proposal to create an industrial court with authority to prevent strikes and adjust industrial controversies which interfere with the continuation of a necessary public service, or which deprive the public of a necessary commodity.

The Proposal was taken up, read by title and advanced for reference.

Mr. Mighell introduced Proposal No. 198, a Proposal respecting suffrage.

The Proposal was taken up, read by title and advanced for reference.

Mr. Lohman introduced Proposal No. 199, a Proposal to provide for the performance of the duties imposed by the Constitution.

The Proposal was taken up, read by title and advanced for reference.

Mr. Lohman introduced Proposal No. 200, a Proposal to prohibit the appropriating of any public funds for sectarian purposes.

The Proposal was taken up, read by title and advanced for reference.

Mr. Kunde introduced Proposal No. 201, a Proposal in regard to personal property tax.

The Proposal was taken up, read by title and advanced for reference.

Mr. Kunde introduced Proposal No. 202, a Proposal for the manufacture, distribution, transportation or sale of beverage.

The Proposal was taken up, read by title and advanced for reference.

Mr. Dove introduced Proposal No. 203, a Proposal to provide for the regulation of strikes, lockouts and industrial differences.

The Proposal was taken up, read by title and advanced for reference.

Mr. Dove introduced Proposal No. 204, a Proposal with reference to suffrage.

The Proposal was taken up, read by title and advanced for reference.

Mr. Dove introduced Proposal No. 205, a Proposal in regard to literacy test for voters.

The Proposal was taken up, read by title and advanced for reference.

Mr. Moore introduced Proposal No. 206, a Proposal to regulate collective bargaining.

The Proposal was taken up, read by title and advanced for reference.

Mr. Rinaker introduced Proposal No. 207, a Proposal to add the following section to the article in regard to the Judicial Department.

The Proposal was taken up, read by title and advanced for reference.

Mr. Rinaker introduced Proposal No. 208, a Proposal to amend certain sections of the Bill of Rights and add a section thereto.

The Proposal was taken up, read by title and advanced for reference.

Mr. McEwen introduced Proposal No. 209, a Proposal to provide an article relative to Initiative and Referendum.

The Proposal was taken up, read by title and advanced for reference.

Mr. Hull introduced Proposal No. 210, a Proposal to prevent a minority from framing a new organic law.

The Proposal was taken up, read by title and advanced for reference.

Mr. Hull, by request, introduced Proposal No. 211, a Proposal to provide for public employment control and for the classification of certain positions in the public service.

The Proposal was taken up, read by title and advanced for reference.

Mr. Dryer introduced Proposal No. 212, a Proposal to provide for fees of clerks of courts of record.

The Proposal was taken up, read by title and advanced for reference.

Mr. Shaw introduced Proposal No. 213, a Proposal to prevent the pollution of the rivers and lakes of this State.

The Proposal was taken up, read by title and advanced for reference.

Mr. Dupuy introduced Proposal No. 214, a Proposal to create a Commission of Education.

The Proposal was taken up, read by title and advanced for reference.

Mr. Dupuy introduced Proposal No. 215, a Proposal to prescribe method of ratifying amendments to the Federal Constitution.

The Proposal was taken up, read by title and advanced for reference.

Mr. Dupuy introduced Proposal No. 216, a Proposal to protect the rights of employes and to prohibit strikes in certain cases.

The Proposal was taken up, read by title and advanced for reference.

Mr. Davis introduced Proposal No. 217, a Proposal to amend sections five (5), seven (7) and nine (9) of Article II of the Constitution.

The Proposal was taken up, read by title and advanced for reference.

Mr. Jarman introduced Proposal No. 218, a Proposal to provide for appeals in bailable criminal cases.

The Proposal was taken up, read by title and advanced for reference.

Mr. Jarman introduced Proposal No. 219, a Proposal to amend Constitution concerning Home Rule for Municipalities.

The Proposal was taken up, read by title and advanced for reference.

Mr. Clarke introduced Proposal No. 220, a Proposal to amend and change the present article of the Constitution relative to the boundaries of the State.

The Proposal was taken up, read by title and advanced for reference.

The Convention proceeding on the Order of First Reading and Reference of Proposals.

Proposal No. 149, a Proposal to omit from the proposed Constitution section 24 of the schedule of the Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Schedule.

Proposal No. 150, a Proposal to amend Article X of the Constitution with reference to counties.

Was taken up, read at large a first time, ordered printed and referred to the Committee on County and Township Government.

Proposal No. 151, a Proposal to amend Article VI of the Judicial Department with reference to the Circuit Court.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 152, a Proposal to amend Article 6 of the Constitution with reference to county courts.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 153, a Proposal for home rule for municipal corporations.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Municipal Government.

Proposal No. 154, a Proposal to exempt from taxation all funds, moneys and property used exclusively for benevolent and charitable purposes.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 155, a Proposal relating to banking activities.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Corporations and Co-operative Associations.

Proposal No. 156, a Proposal relating to state banks.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Corporations and Co-operative Associations.

Proposal No. 157, a Proposal relative to the charters of benevolent and fraternal organizations including those heretofore organized and those to be organized in the future.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Corporations and Co-operative Associations.

Proposal No. 158, a Proposal to provide for a system of county government.

Was taken up, read at large a first time, ordered printed and referred to the Committee on County and Township Government.

The following Delegates were excused from attendance of the Convention on account of sickness: Messrs. Pearce, Hogan, Revell, Potts, Curtis and Stahl.

At the hour of 3:15 o'clock p. m. Mr. Lindly moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

THURSDAY, FEBRUARY 26, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Lester Leake Riley, of the Christ Episcopal Church, of Springfield.

The Journal of Thursday, January 19th, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The Convention proceeding on the Order of Introduction of Proposals.

Mr. Brenholt introduced Proposal No. 221, a Proposal to designate the time when laws shall come into effect.

The Proposal was taken up, read by title and advanced for reference.

Mr. Brenholt introduced Proposal No. 222, a Proposal to establish a judicial system for the State of Illinois.

The Proposal was taken up, read by title and advanced for reference.

Mr. Wall introduced Proposal No. 223, a Proposal to separate the office of sheriff and collector in counties not under township organization and to create the office of county collector of taxes.

The Proposal was taken up, read by title and advanced for reference.

Mr. Kunde introduced Proposal No. 224, a Proposal to prohibit options in purchase and sale of commodities and dealing in stocks by margins, or in lottery.

The Proposal was taken up, read by title and advanced for reference.

Mr. Mayer introduced Proposal No. 225, a Proposal to amend Article 2 the Bill of Rights, section 9, so as to read as follows:

The Proposal was taken up, read by title and advanced for reference.

Mr. Mayer introduced Proposal No. 226, a Proposal to amend Article 2 (The Bill of Rights), section 5 so as to read as follows.

The Proposal was taken up, read by title and advanced for reference.

Mr. Elting introduced Proposal No. 227, a Proposal to revise, alter and amend section 1, Article IX, entitled "Revenue", of the Constitution of 1870.

The Proposal was taken up, read by title and advanced for reference.

Mr. Baldwin introduced Proposal No. 228, a Proposal to provide that laws shall take effect thirty days after the adjournment of the General Assembly.

The Proposal was taken up, read by title and advanced for reference.

Mr. Cutting introduced Proposal No. 229, a Proposal in regard to the proposed Bill of Rights.

The Proposal was taken up, read by title and advanced for reference.

Mr. Cutting, by request, introduced Proposal No. 230, a Proposal in regard to the Initiative and Referendum.

The Proposal was taken up, read by title and advanced for reference.

Mr. Carey introduced Proposal No. 231, a Proposal in relation to the free schools.

The Proposal was taken up, read by title and advanced for reference.

Mr. Sneed introduced Proposal No. 232, a Proposal to insert a separate article to be designated "Labor."

The Proposal was taken up, read by title and advanced for reference.

Mr. Sneed introduced Proposal No. 233, a Proposal to amend Article X of section VIII in relation to election and term of office of county judge, county clerk, sheriff, and treasurer, and a county collector.

The Proposal was taken up, read by title and advanced for reference.

Mr. Beckman, by request, introduced Proposal No. 234, a Proposal to provide for the establishment of military system in Illinois.

The Proposal was taken up, read by title and advanced for reference.

Mr. Mills, by request, introduced Proposal No. 235, a Proposal to amend sections 1 and 3, Article 8 of the Constitution.

The Proposal was taken up, read by title and advanced for reference.

Mr. Six introduced Proposal No. 236, a Proposal of provision for a budget system.

The Proposal was taken up, read by title and advanced for reference.

Mr. Mills introduced Proposal No. 237, a Proposal to amend sections 6, 7 and 8 of Article 4 to read as follows.

The Proposal was taken up, read by title and advanced for reference.

Mr. Mills, by request, introduced Proposal No. 238, a Proposal that sections 1 and 2 of Article 8 be amended so that said sections shall be amended so that they shall read as follows.

The Proposal was taken up, read by title and advanced for reference.

Mr. Mills introduced Proposal No. 239, a Proposal guaranteeing freedom of worship.

The Proposal was taken up, read by title and advanced for reference.

Mr. Mills introduced Proposal No. 240, a Proposal to amend section 18, of Article II, Bill of Rights, to read as follows.

The Proposal was taken up, read by title and advanced for reference.

Mr. Mills introduced Proposal No. 241, a Proposal to provide for the exemption from taxation of property heretofore or hereafter donated for school purposes.

The Proposal was taken up, read by title and advanced for reference.

Mr. Shuey, by request, introduced Proposal No. 242, a Proposal to amend Article 14, section 1, of the Constitution of 1870, so that it will read as follows.

The Proposal was taken up, read by title and advanced for reference.

Mr. Dawes introduced Proposal No. 243, a Proposal for the creation of a death, disability or retirement fund for public officers and employes.

The Proposal was taken up, read by title and advanced for reference.

Mr. Dawes introduced Proposal No. 244, a Proposal to provide for raising revenue.

The Proposal was taken up, read by title and advanced for reference.

Mr. Fyke introduced Proposal No. 245, a Proposal relating to corporations.

The Proposal was taken up, read by title and advanced for reference.

Mr. Dupee, by request, introduced Proposal No. 246, a Proposal in aid of zoning.

The Proposal was taken up, read by title and advanced for reference.

Mr. Dupee, by request, introduced Proposal No. 247, a Proposal to provide for excess condemnation.

The Proposal was taken up, read by title and advanced for reference.

Mr. Dupee, by request, introduced Proposal No. 248, a Proposal to revise Article 9, section 12, relating to the limitation of indebtedness of municipal corporations.

The Proposal was taken up, read by title and advanced for reference.

Mr. Dupee, by request, introduced Proposal No. 249, a Proposal to revise Article 9, section 12, relating to the limitation of indebtedness of municipal corporations.

The Proposal was taken up, read by title and advanced for reference.

Mr. Dupee, by request, introduced Proposal No. 250, a Proposal to revise Article 9, section 9, relating to the making of local improvements.

The Proposal was taken up, read by title and advanced for reference.

Mr. Dupee, by request, introduced Proposal No. 251, a Proposal to authorize zoning legislation.

The Proposal was taken up, read by title and advanced for reference.

Mr. Dupee, by request, introduced Proposal No. 252, a Proposal to authorize restrictions on property needed for public use in the future.

The Proposal was taken up, read by title and advanced for reference.

Mr. Dupee, by request, introduced Proposal No. 253, a Proposal to confer authority and power to lay out a city plan and to control the use and occupancy of land embraced therein.

The Proposal was taken up, read by title and advanced for reference.

Mr. Dupee, by request, introduced Proposal No. 254, a Proposal to provide for excess condemnation.

The Proposal was taken up, read by title and advanced for reference.

Mr. Barr, by request, introduced Proposal No. 255, a Proposal to require a county superintendent of schools in each county.

The Proposal was taken up, read by title and advanced for reference.

Mr. Barr introduced Proposal No. 256, a Proposal to permit the distribution to local taxing bodies of payments received from the Illinois Central Railroad.

The Proposal was taken up, read by title and advanced for reference.

Mr. Barr introduced Proposal No. 257, a Proposal to exempt parsonages from taxation.

The Proposal was taken up, read by title and advanced for reference.

Mr. Brandon introduced Proposal No. 258, a Proposal to define education.

The Proposal was taken up, read by title and advanced for reference.

Mr. Brandon, by request, introduced Proposal No. 259, a Proposal to provide for a commissioner of education.

The Proposal was taken up, read by title and advanced for reference.

Mr. Iarussi introduced Proposal No. 260, a Proposal to amend section 4 of Article 9 of the Constitution of 1870.

The Proposal was taken up, read by title and advanced for reference.

Mr. Latchford introduced Proposal No. 261, a Proposal to amend section — of Article 9 of the Constitution of 1870.

The Proposal was taken up, read by title and advanced for reference.

Mr. Six introduced Proposal No. 262, a Proposal relating to suffrage.

The Proposal was taken up, read by title and advanced for reference.

Mr. Six introduced Proposal No. 263, a Proposal to define the relationship between State powers and the powers of municipalities in certain cases.

The Proposal was taken up, read by title and advanced for reference.

Mr. Lindly, by request, introduced Proposal No. 264, a Proposal to provide for the improvement of the lakes, rivers and streams of this State.

The Proposal was taken up, read by title and advanced for reference.

Mr. Lindly, by request, introduced Proposal No. 265, a Proposal to prevent encroachment upon the lakes, rivers and streams of this State.

The Proposal was taken up, read by title and advanced for reference.

Mr. O'Brien introduced Proposal No. 266, a Proposal to amend sections No. 3 and 5 of Article No. 9 of the Constitution of 1870.

The Proposal was taken up, read by title and advanced for reference.

Mr. Chew introduced Proposal No. 267, a Proposal to provide for the development of water power and for the creation of districts for the purpose of affording combined outlet drainage, water power, and the reclamation of lands subject to overflow, within the State of Illinois.

The Proposal was taken up, read by title and advanced for reference.

Mr. Chew introduced Proposal No. 268, a Proposal relating to municipal control and regulation of public utilities.

The Proposal was taken up, read by title and advanced for reference.

Mr. Barr introduced Proposal No. 269, a Proposal to provide for the issuance of State bonds for the construction and repair of a general system of hard roads and for the completion of any waterway under construction.

The Proposal was taken up, read by title and advanced for reference.

Mr. Barr introduced Proposal No. 270, a Proposal to provide for the exemption from taxation of State bonds issued under existing authorization.

The Proposal was taken up, read by title and advanced for reference.

Mr. Barr introduced Proposal No. 271, a Proposal to provide for physical education and recreation training.

The Proposal was taken up, read by title and advanced for reference.

Mr. McEwen introduced Proposal No. 272, a Proposal to specify certain courts as part of the Judicial Department.

The Proposal was taken up, read by title and advanced for reference.

Mr. McEwen introduced Proposal No. 273, a Proposal to provide for a separate election of judges of the criminal court of Cook county.

The Proposal was taken up, read by title and advanced for reference.

Mr. McEwen introduced Proposal No. 274, a Proposal to provide for the appointment of judges of the Appellate Court.

The Proposal was taken up, read by title and advanced for reference.

Mr. McEwen introduced Proposal No. 275, a Proposal relative to the superintendents of courts.

The Proposal was taken up, read by title and advanced for reference.

Mr. McEwen introduced Proposal No. 276, a Proposal to vest in the General Assembly the power to provide for appeals, writs of error and methods of review of decisions.

The Proposal was taken up, read by title and advanced for reference.

Mr. McEwen introduced Proposal No. 277, a Proposal to vest in the General Assembly power to make rules of pleading practice and procedure for the judicial department.

The Proposal was taken up, read by title and advanced for reference.

Mr. McEwen introduced Proposal No. 278, a Proposal to withdraw hearings before masters in chancery and place the same in the circuit court or a branch thereof.

The Proposal was taken up, read by title and advanced for reference.

Mr. McEwen introduced Proposal No. 279, a Proposal to provide for authority of impeachment and removal of judges, officers and employes of courts.

The Proposal was taken up, read by title and advanced for reference.

Mr. Wolff, by request, introduced Proposal No. 280, a Proposal for the method of amending the Constitution.

The Proposal was taken up, read by title and advanced for reference.

Mr. Cruden introduced Proposal No. 281, a Proposal to provide that words importing the masculine gender shall include the feminine gender.

The Proposal was taken up, read by title and advanced for reference.

Mr. Cruden introduced Proposal No. 282, a Proposal to provide for the removal of snow and ice from sidewalks.

The Proposal was taken up, read by title and advanced for reference.

Mr. Hull introduced Proposal No. 283, a Proposal to amend section 10 of Article 5 of the Constitution.

The Proposal was taken up, read by title and advanced for reference.

Mr. Lohman introduced Proposal No. 284, a Proposal to provide for the issuance of bonds by the State or municipalities to encourage the building of homes and buying of lands by citizens of the State.

The Proposal was taken up, read by title and advanced for reference.

Mr. Lohman introduced Proposal No. 285, a Proposal for public ownership of public utilities.

The Proposal was taken up, read by title and advanced for reference.

Mr. Michaelson introduced Proposal No. 286, a Proposal to provide proper publicity of this Constitution (or of amendments to the Constitution) by printing and mailing the same to the post office address of each qualified voter in the State of Illinois, at least ninety days before the election at which they are to be voted upon.

The Proposal was taken up, read by title and advanced for reference.

Mr. Michaelson introduced Proposal No. 287, a Proposal to empower the General Assembly of the State of Illinois to enact laws providing for old age pensions and social and industrial justice.

The Proposal was taken up, read by title and advanced for reference.

Mr. Michaelson introduced Proposal No. 288, a Proposal to prohibit persons or corporations from entering into agreement to fix or establish the purchasing price or selling price of food commodities.

The Proposal was taken up, read by title and advanced for reference.

Mr. Michaelson introduced Proposal No. 289, a Proposal to provide revenue by taxation.

The Proposal was taken up, read by title and advanced for reference.

Mr. Michaelson introduced Proposal No. 290, a Proposal to vest all powers in townships lying wholly within any city of more than 5,000 population, in the city council of such city.

The Proposal was taken up, read by title and advanced for reference.

Mr. Dryer introduced Proposal No. 291, a Proposal to provide for an act to compel legal voters to exercise their right of suffrage.

The Proposal was taken up, read by title and advanced for reference.

Mr. Ireland introduced Proposal No. 292, a Proposal with respect to banks.

The Proposal was taken up, read by title and advanced for reference.

The Convention proceeding on the Order of First Reading and Reference of Proposals.

Proposal No. 159, a Proposal in relation to Home Rule and Consolidation for the City of Chicago and the county of Cook.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Chicago and Cook County.

Proposal No. 160, a Proposal to amend section 9 of Article IX of the Constitution of 1870 with reference to the assessment and collection of taxes by municipal corporations for corporate purposes.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 161, a Proposal to amend section 10 of Article IX of the Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred nto the Committee on Revenue, Taxation and Finance.

Proposal No. 162, a Proposal to fix the taxing districts for road purposes.

Was taken up, read at large a first time, ordered printed and referred to the Committee on County and Township Government.

Proposal No. 163, a Proposal to amend section 13 of Article IV of the Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Legislative Department.

Proposal No. 164, a Proposal to compel citizens to exercise their right of franchise.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Suffrage.

Proposal No. 165, a Proposal to repeal the Fourth Amendment, adopted November 2, 1886, of the Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Industrial Affairs and Labor.

Proposal No. 166, a Proposal to repeal Article XIII of the Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Distinction Between Constitutional and Legislative Subjects.

Proposal No. 167, a Proposal to repeal section 15 of Article XI of the Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Corporations and Co-operative Associations.

Proposal No. 168, a Proposal to repeal section 13 of Article XI of the Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Corporations and Co-operative Associations.

Proposal No. 169, a Proposal to repeal section 12 of Article XI of the Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Corporations and Co-operative Associations.

Proposal No. 170, a Proposal to repeal section 11 of Article XI of the Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Corporations and Co-operative Associations.

Proposal No. 171, a Proposal to repeal section 10 of Article XI of the Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Corporations and Co-operative Associations.

Proposal No. 172, a Proposal to repeal section 9 of Article XI of the Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Corporations and Co-operative Associations.

Proposal No. 173, a Proposal to repeal section 5 (except the first sentence thereof) of Article XI of the Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Corporations and Co-operative Associations.

Proposal No. 174, a Proposal to repeal section 3 of Article XI of the Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Corporations and Co-operative Associations.

Proposal No. 175, a Proposal to repeal section 10 of Article X of the Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on County and Township Government.

Proposal No. 176, a Proposal to repeal section 9 of Article X of the Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on County and Township Government.

Proposal No. 177, a Proposal to repeal section 8 of Article X of the Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on County and Township Government.

Proposal No. 178, a Proposal to repeal section 7 of Article X of the Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Chicago and Cook County.

Proposal No. 179, a Proposal to repeal section 6 of Article X of the Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on County and Township Government.

Proposal No. 180, a Proposal to repeal section 5 of Article X of the Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on County and Township Government.

Proposal No. 181, a Proposal to repeal section 13 of Article IX of the Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 182, a Proposal to repeal section 5 of Article VIII of the Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Education.

Proposal No. 183, a Proposal to repeal section 33 of Article 4 of the Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Legislative Department.

Proposal No. 184, a Proposal to repeal section 32 of Article 4 of the Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Legislative Department.

Proposal No. 185, a Proposal to repeal section 29 of Article 4 of the Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Industrial Affairs and Labor.

Proposal No. 186, a Proposal to embody in the article of the new Constitution in relation to taxation the following provision imposing the duty on the owners of property to list the same for taxation and providing remedies for a failure to do so.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Distinction between Constitutional and Legislative Subjects.

Proposal No. 187, a Proposal to provide that the General Assembly to fix the compensation of all county officers and that the county boards fix the amount of clerk hire, stationery and other expenses.

Was taken up, read at large a first time, ordered printed and referred to the Committee on County and Township Government.

Proposal No. 188, a Proposal to establish a judicial department.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 189, a Proposal to amend sections six (6), seven (7) and eight (8) of Article IV of the Constitution relating to the apportionment and number of Senators and Representatives in the General Assembly.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Legislative Department.

Proposal No. 190, a Proposal to provide for the time of electing all officers.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Suffrage.

Proposal No. 191, a Proposal to revise Article IX, Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 192, a Proposal to give cities and towns power to own and operate water and light systems.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Municipal Government.

Proposal No. 193, a Proposal to limit the right of suffrage to be a part of Article VII of the Constitution by appropriate section.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Suffrage.

Proposal No. 194, a Proposal to deny the right of pardon or parole for certain crimes.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Executive Department.

Proposal No. 195, a Proposal to limit the right of holding office to be a part of Article VII of the Constitution by appropriate section.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Miscellaneous Subjects.

Proposal No. 196, a Proposal to reclaim swamp and overflowed lands.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Agriculture.

Proposal No. 197, a Proposal to create an industrial court with authority to prevent strikes and adjust industrial controversies which interfere with the continuation of a necesary public service, or which deprive the public of a necessary commodity.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Industrial Affairs and Labor.

Proposal No. 198, a Proposal respecting suffrage.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Suffrage.

Proposal No. 199, a Proposal to provide for the performance of the duties imposed by the Constitution.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 200, a Proposal to prohibit the appropriating of any public funds for sectarian purposes.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Education.

Proposal No. 201, a Proposal to exempt certain property from taxation.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 202, a Proposal for the manufacture, distribution, transportation or sale of beverage.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Distinction between Constitutional and Legislative Subjects.

Proposal No. 203, a Proposal to provide for the regulation of strikes, lockouts and industrial differences.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Industrial Affairs and Labor.

Proposal No. 204, a Proposal with reference to suffrage.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Suffrage.

Proposal No. 205, a Proposal to require electors to be able to read and write the English language.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Suffrage.

Proposal No. 206, a Proposal to regulate collective bargaining.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Industrial Affairs and Labor.

Proposal No. 207, a Proposal to add the following section to the article in regard to the judicial department.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 208, a Proposal to amend certain sections of the Bill of Rights and add sections thereto.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Bill of Rights.

Proposal No. 209, a Proposal to provide an article relative to initiative and referendum.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Initiative, Referendum and Recall.

Proposal No. 210, a Proposal to prevent a minority from framing a new organic law.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Future Amendment of the Constitution.

Proposal No. 211, a Proposal to provide for public employment control and for the classification of certain positions in the public service.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Distinction between Constitutional and Legislative Subjects.

Proposal No. 212, a Proposal to provide for fees of clerks of courts of record.

Was taken up, read at large a first time, ordered printed and referred to the Committee on County and Township Government.

Proposal No. 213, a Proposal to prevent the pollution of the rivers and lakes of this State.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Distinction Between Constitutional and Legislative Subjects.

Proposal No. 214, a Proposal to create a commission of education.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Education.

Proposal No. 215, a Proposal to prescribe method of ratifying amendments to the Federal Constitution.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Miscellaneous Subjects.

Proposal No. 216, a Proposal to protect the rights of employes and to prohibit strikes in certain cases.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Industrial Affairs and Labor.

Proposal No. 217, a Proposal relative to the amendment of sections five (5), seven (7) and nine (9) of Article II of the Constitution.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Bill of Rights.

Proposal No. 218, a Proposal to provide for appeals in bailable criminal cases.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 219, a Proposal to amend Constitution concerning home rule for municipalities.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Municipal Government.

Proposal No. 220, a Proposal to amend and change the present Article of the Constitution relative to the boundaries of the State.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Miscellaneous Subjects.

Mr. Jarman offered the following resolution, which was referred to the Committee on Rules and Procedure:

RESOLUTION NO. 22.

Resolved, That after the first day of March, 1920, except as specially otherwise ordered, the Convention meet at 10 o'clock a. m. on each day, except Sunday and Monday.

At the hour of 11:55 o'clock a. m., Mr. Sutherland moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

FRIDAY, FEBRUARY 27, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Lester Leake Riley, of the Christ Episcopal Church, of Springfield.

The Journal of Wednesday, February 25, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

The President, as chairman, laid before the Convention the following report from the Committee on Rules and Procedure, to-wit:

COMMITTEE REPORT.

Your Committee on Rules and Procedure reports the following matters for consideration in Committee of the Whole on Tuesday, March 2, 1920:

The consideration of the various Proposals concerning revenue, taxation and finance.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

The President, as chairman, laid before the Convention the further report from the Committee on Rules and Procedure, to-wit:

COMMITTEE REPORT.

Your Committee on Rules and Procedure reports the following matters for consideration in Committee of the Whole on Wednesday, March 10, 1920:

The consideration of the various Proposals relating to or affecting education, and particularly the revenue Proposals as affecting said subject.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

The Convention proceeding on the order of Introduction of Proposals.

Mr. Trautmann introduced Proposal No. 293, a Proposal to provide for the apportionment of the State for representation in the General Assembly.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Wall introduced Proposal No. 294, a Proposal to establish a judicial system for the State of Illinois.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Tanner introduced Proposal No. 295, a Proposal to authorize the reclamation of swamp and overflowed lands by the State.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Corcoran introduced Proposal No. 296, a Proposal to consolidate the taxing bodies of Cook County.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Pincus introduced Proposal No. 297, a Proposal to amend schedule of Constitution of 1870.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Pincus introduced Proposal No. 298, a Proposal to amend Article 11, section 4.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Lohman introduced Proposal No. 299, a Proposal to extend the right of suffrage to women.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Lohman, by request, introduced Proposal No. 300, a Proposal to authorize the General Assembly to enact laws relative to health.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Sneed introduced Proposal No. 301, a Proposal that the General Assembly shall provide a fund for the constructing, maintaining, repairing and rebuilding an inter-county system of wagon, truck and automobile roads.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Brenholt, by request, introduced Proposal No. 302, a Proposal to exempt certain property from taxation in the State of Illinois.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Brenholt introduced Proposal No. 303, a Proposal to authorize the creation of the office of county assessor.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Brenholt introduced Proposal No. 304, a Proposal to permit the establishment of the office of public defender.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Green introduced Proposal No. 305, a Proposal to define appropriation and budgetary procedure for the State.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Six introduced Proposal No. 306, a Proposal for exemption of the property of incorporated societies of ex-service men.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Barr, by request, introduced Proposal No. 307, a Proposal to permit the use of Bible selections in the public schools.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Smith introduced Proposal No. 308, a Proposal to omit section 8 of Article 9 of the present Constitution.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Smith introduced Proposal No. 309, a Proposal to provide for local road and bridge administration.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Smith introduced Proposal No. 310, a Proposal to provide a system of county government.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Taff, by request, introduced Proposal No. 311, a Proposal to retain section 1 of Article IX of the present Constitution with certain words omitted therefrom and certain words added thereto.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Taff introduced Proposal No. 312, a Proposal to protect the rights of minority stockholders.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Beckman introduced Proposal No. 313, a Proposal to provide for the initiative and referendum.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Cutting introduced Proposal No. 314, a Proposal to regulate the nomination of judicial and school candidates.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Wolff introduced Proposal No. 315, a Proposal to amend section 2 of Article VII relative to voting.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Hamill introduced Proposal No. 316, a Proposal to create an executive department.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Dove introduced Proposal No. 317, a Proposal to establish the Appellate Court.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Dove introduced Proposal No. 318, a Proposal concerning the referendum.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Ireland introduced Proposal No. 319, a Proposal to eliminate the provisions of the present Constitution requiring acts of the General Assembly authorizing or creating corporations or associations with banking powers, to be submitted to a vote of the people.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Hull introduced Proposal No. 320, a Proposal to amend Article V of the Constitution with reference to the Executive Department.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Michal introduced Proposal No. 321, a Proposal abolishing the limitation of the amount recoverable in actions arising out of injuries to persons resulting in death.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Michal introduced Proposal No. 322, a Proposal limiting certain defenses in suits at law to be questions of fact to be determined solely by a jury.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Dunlap introduced Proposal No. 323, a Proposal to provide for the improvement of roads, highways and bridges in whole or in part by special assessments.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Barr introduced Proposal No. 324, a Proposal to provide for a system of courts.

The Proposal was taken up, read by title, and advanced for reference.

Mr. Michal introduced Proposal No. 325, a Proposal relative to the judiciary.

The Proposal was taken up, read by title, and advanced for reference.

The Convention proceeding on the order of First Reading and Reference of Proposals.

Proposal No. 221, a Proposal to designate the time when laws shall come into effect.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Legislative Department.

Proposal No. 222, a Proposal to establish a judicial system for the State of Illinois.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 223, a Proposal to separate the office of sheriff and collector in counties not under township organization and to create the office of county collector of taxes.

Was taken up, read at large a first time, ordered printed and referred to the Committee on County and Township Government.

Proposal No. 224, a Proposal to prohibit options in purchase and sale of commodities and dealing in stocks by margins, or in lottery.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Miscellaneous Subjects.

Proposal No. 225, a Proposal to amend Article 2 of the Bill of Rights, section 9.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Bill of Rights.

Proposal No. 226, a Proposal to amend Article 2 (The Bill of Rights) section 5.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Bill of Rights.

Proposal No. 227, a Proposal to revise, alter and amend section 1, Article IX, entitled "Revenue" of the Constitution of 1870, so as to provide for the uniform taxation of all tangible property, the classification of intangible property and for taxation of incomes.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 228, a Proposal to provide that laws shall take effect thirty days after the adjournment of the General Assembly.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Legislative Department.

Proposal No. 229, a Proposal providing a Bill of Rights.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Bill of Rights.

Proposal No. 230, a Proposal providing for the initiative and referendum.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Initiative, Referendum and Recall.

Proposal No. 231, a Proposal in relation to the free schools.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Education.

Proposal No. 232, a Proposal to insert a separate article to be designated "Labor."

Was taken up, read at large a first time, ordered printed and referred to the Committee on Industrial Affairs and Labor.

Proposal No. 233, a Proposal to amend Article X of section VIII in relation to election and term of office of county judge, county clerk, sheriff and treasurer, and a county collector.

Was taken up, read at large a first time, ordered printed and referred to the Committee on County and Township Government.

Proposal No. 234, a Proposal to provide for the establishment of military system in Illinois.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Military Affairs.

Proposal No. 235, a Proposal to amend sections 1 and 3, Article 8, of the Constitution to read as follows.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Education.

Proposal No. 236, a Proposal for a budget system.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Legislative Department.

Proposal No. 237, a Proposal to amend sections 6, 7 and 8 of Article 4 of the Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Legislative Department.

Proposal No. 238, a Proposal to amend sections 1 and 2 of Article 8 of the Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Education.

Proposal No. 239, a Proposal to guarantee freedom of worship.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Bill of Rights.

Proposal No. 240, a Proposal to amend section 18 of Article II, Bill of Rights.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Bill of Rights.

Proposal No. 241, a Proposal to provide for the exemption from taxation of property heretofore or hereafter donated for school purposes.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 242, a Proposal to amend Article 14, section 1, of the Constitution of 1870 so that it will read as follows.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Future Amendment of the Constitution.

Proposal No. 243, a Proposal for the creation of a death, disability or retirement fund for public officers and employees.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Legislative Department.

Proposal No. 244, a Proposal to provide for raising revenue.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 245, a Proposal relating to corporations.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Corporations and Co-operative Associations.

Proposal No. 246, a Proposal in aid of zoning.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Municipal Government.

Proposal No. 247, a Proposal to provide for excess condemnation.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Bill of Rights.

Proposal No. 248, a Proposal to revise Article 9, section 12, relating to the limitation of indebtedness of municipal corporations.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 249, a Proposal to revise Article 9, section 12, relating to the limitation of indebtedness of municipal corporations.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 250, a Proposal to revise Article 9, section 9, relating to the making of local improvements.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 251, a Proposal to authorize zoning legislation.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Municipal Government.

Proposal No. 252, a Proposal to authorize restrictions on property needed for public use in the future.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Bill of Rights.

Proposal No. 253, a Proposal to confer authority and power to lay out a city plan and to control the use and occupancy of land embraced therein.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Municipal Government.

Proposal No. 254, a Proposal to provide for excess condemnation.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Bill of Rights.

Proposal No. 255, a Proposal to require a county superintendent of schools in each county.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Education.

Proposal No. 256, a Proposal to permit the distribution to local taxing bodies of payments received from the Illinois Central Railroad.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Corporations and Co-operative Associations.

Proposal No. 257, a Proposal to exempt parsonages from taxation.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 258, a Proposal to define education.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Education.

Proposal No. 259, a Proposal to provide for a Commissioner of Education for the State, in place of a Superintendent of Public Instruction.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Executive Department.

Proposal No. 260, a Proposal to amend section 4 of Article 9 of the Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 261, a Proposal to amend section — of Article 9 of the Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 262, a Proposal relating to suffrage.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Suffrage.

Proposal No. 263, a Proposal to define the relationship between State powers and the powers of municipalities in certain cases.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Municipal Government.

Proposal No. 264, a Proposal to provide for the improvement of the lakes, rivers and streams of this State.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Public Works and Improvements.

Proposal No. 265, a Proposal to prevent encroachment upon the lakes, rivers and streams of this State.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Public Works and Improvements.

Proposal No. 266, a Proposal to amend section No. 3 and 5 of Article No. 9 of the Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 267, a Proposal to provide for the development of water power and for the creation of districts for the purpose of affording combined outlet drainage, water power, and the reclamation of lands subject to overflow, within the State of Illinois.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Public Works and Improvements.

Proposal No. 268, a Proposal relating to municipal control and regulation of public utilities.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Municipal Government.

Proposal No. 269, a Proposal to provide for the issuance of State bonds for the construction and repair of a general system of hard roads and for the completion of any waterway under construction.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Public Works and Improvements.

Proposal No. 270, a Proposal to provide for the exemption from taxation of State bonds issued under existing authorization.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 271, a Proposal to provide for physical education and recreation training.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Education.

Proposal No. 272, a Proposal to specify certain courts as part of the judicial department.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 273, a Proposal to provide for a separate election of judges of the Criminal Court of Cook County.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 274, a Proposal to provide for the appointment of judges of the Appellate Court.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 275, a Proposal relative to the superintendents of courts.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 276, a Proposal to vest in the General Assembly the power to provide for appeals, writs of error and methods of review of decisions.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 277, a Proposal to vest in the General Assembly power to make rules of pleading practice and procedure for judicial department.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 278, a Proposal to withdraw hearings before Masters in Chancery and place the same in the Circuit Court or a branch thereof.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 279, a Proposal to provide for authority of impeachment and removal of judges, officers and employees of courts.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 280, a Proposal relative to the method of calling future Constitutional Conventions and to the methods of amending the Constitution.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Future Amendment of the Constitution.

Proposal No. 281, a Proposal to provide that words importing the masculine gender shall include the feminine gender.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Phraseology and Style.

Proposal No. 282, a Proposal to provide for the removal of snow and ice from sidewalks.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Distinction Between Constitutional and Legislative Subjects.

Proposal No. 283, a Proposal to amend section 10 of Article 5 of the Constitution.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Executive Department.

Proposal No. 284, a Proposal to provide for the issuance of bonds by the State or municipalities; to encourage the building of homes and buying of lands by citizens of the State.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Distinction Between Constitutional and Legislative Subjects.

Proposal No. 285, a Proposal for public ownership of public utilities.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Municipal Government.

Proposal No. 286, a Proposal to provide proper publicity of this Constitution (or of amendments to the Constitution) by printing and mailing the same to the post office address of each qualified voter in the State of Illinois, at least ninety days before the election at which they are to be voted upon.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Submission and Address, when appointed.

Proposal No. 287, a Proposal to empower the General Assembly of the State of Illinois to enact laws providing for old age pensions and social and industrial justice.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Legislative Department.

Proposal No. 288, a Proposal to prohibit persons or corporations from entering into agreement to fix or establish the purchasing price or selling price of food commodities.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Distinction Between Constitutional and Legislative Subjects.

Proposal No. 289, a Proposal to provide revenue by taxation.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 290, a Proposal to vest all powers in townships lying wholly within any city of more than 5,000 population, in the city council of such city.

Was taken up, read at large a first time, ordered printed and referred to the Committee on County and Township Government.

Proposal No. 291, a Proposal to provide for an act to compel legal voters to exercise their right of suffrage.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Suffrage.

Proposal No. 292, a Proposal with respect to banks.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Corporations and Co-operative Associations.

The following delegates were excused from attendance of the Convention on account of sickness: Messrs. Mack, Michaelson and Dawes.

At the hour of 11:30 o'clock a. m., Mr. Shanahan moved that the Convention do now adjourn until Tuesday, March 2, 1920, at 10:00 o'clock a. m.

The motion prevailed.

And the Convention stood adjourned.

TUESDAY, MARCH 2, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. R. H. Heicke, of the West Side Christian Church, of Springfield.

The Journal of Thursday, February 26th, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up, and no corrections appearing was ordered to stand approved.

By unanimous consent Mr. Sutherland, by request, introduced Proposal No. 326, a Proposal for an article on Revenue.

The Proposal was taken up, read by title and advanced for reference.

By unanimous consent Mr. Sutherland, by request, introduced Proposal No. 327, a Proposal in relation to Revenue.

The Proposal was taken up, read by title and advanced for reference.

By unanimous consent Mr. Lohman introduced Proposal No. 328, a Proposal providing for a mortgage registration tax.

The Proposal was taken up, read by title and advanced for reference.

By unanimous consent Mr. Wilson, by request, introduced Proposal No. 329, a Proposal to authorize zoning legislation.

The Proposal was taken up, read by title and advanced for reference.

By unanimous consent Mr. Corcoran introduced Proposal No. 330, a Proposal to provide for the consolidation of local governments having jurisdiction wholly or partly within the County of Cook.

The Proposal was taken up, read by title and advanced for reference.

By unanimous consent Mr. McEwen introduced Proposal No. 331, a Proposal to establish a Court of Domestic Relations, with exclusive and original jurisdiction in certain cases, and as a branch of the circuit court in counties having a population of over fifty thousand (50,000) inhabitants.

The Proposal was taken up, read by title and advanced for reference.

By unanimous consent Mr. O'Brien introduced Proposal No. 332, a Proposal to amend section X of the "Bill of Rights," being Article II of the Constitution of 1870.

The Proposal was taken up, read by title and advanced for reference.

By unanimous consent Mr. Michaelson introduced Proposal No. 333, a Proposal in relation to the right of dower.

The Proposal was taken up, read by title and advanced for reference.

The Convention proceeding on the order of First Reading and Reference of Proposals.

Proposal No. 293, a Proposal to provide for the apportionment of the State for representation in the General Assembly.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Legislative Department.

Proposal No. 294, a Proposal to establish a judicial system for the State of Illinois.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 295, a Proposal to authorize the reclamation of swamp and overflowed lands by the State.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Public Works and Improvements.

Proposal No. 296, a Proposal to consolidate the taxing bodies of Cook county.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Chicago and Cook County.

Proposal No. 297, a Proposal to amend schedule of Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Schedule.

Proposal No. 298, a Proposal to amend Article 11, section 4.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Municipal Government.

Proposal No. 299, a Proposal to extend the right of suffrage to women.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Suffrage.

Proposal No. 300, a Proposal to authorize the General Assembly to enact laws relative to health.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Miscellaneous Subjects.

Proposal No. 301, a Proposal that the General Assembly shall provide a fund for the construction, maintaining, repairing and rebuilding an inter-county system of wagon, truck and automobile roads.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Public Works and Improvements.

Proposal No. 302, a Proposal to exempt certain property from taxation in the State of Illinois.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 303, a Proposal to authorize the creation of the office of county assessor.

Was taken up, read at large a first time, ordered printed and referred to the Committee on County and Township Government.

Proposal No. 304, a Proposal to permit the establishment of the office of public defender.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 305, a Proposal to define appropriation and budgetary procedure for the State.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Legislative Department.

Proposal No. 306, a Proposal for exemption of the property of incorporated societies of ex-service men.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 307, a Proposal to permit the use of Bible selections in the public schools.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Bill of Rights.

Proposal No. 308, a Proposal to omit section 8 of Article 9 of the present Constitution.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 309, a Proposal to provide for local road and bridge administration.

Was taken up, read at large a first time, ordered printed and referred to the Committee on County and Township Government.

Proposal No. 310, a Proposal to provide a system of county government.

Was taken up, read at large a first time, ordered printed and referred to the Committee on County and Township Government.

Proposal No. 311, a Proposal to retain section 1 of Article IX of the present Constitution with certain words omitted therefrom and certain words added thereto.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 312, a Proposal to protect the rights of minority stockholders.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Corporations and Co-operative Associations.

Proposal No. 313, a Proposal to provide for the initiative and referendum.

Was taken up, read at large a first time, ordered printed and referred t the Committee on Initiative, Referendum and Recall.

Proposal No. 314, a Proposal to regulate the nomination of judicial and school candidates.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Miscellaneous Subjects.

Proposal No. 315, a Proposal to amend section 2 of Article VII relative to voting.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Miscellaneous Subjects.

Proposal No. 316, a Proposal to create an executive department.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Executive Department.

Proposal No. 317, a Proposal to establish the appellate court.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 318, a Proposal concerning the referendum.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Initiative, Referendum and Recall.

Proposal No. 319, a Proposal to eliminate the provisions of the present Constitution requiring acts of the General Assembly authorizing or creating corporations or associations with banking powers, to be submitted to a vote of the people.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Corporations and Co-operative Associations.

Proposal No. 320, a Proposal to amend Article V of the Constitution with reference to the executive department.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Executive Department.

Proposal No. 321, a Proposal abolishing the limitation of the amount recoverable in actions arising out of injuries to persons resulting in death.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 322, a Proposal limiting certain defenses in suits at law to be questions of fact to be determined solely by a jury.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 323, a Proposal to provide for the improvement of roads, highways and bridges in whole or in part by special assessments.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 324, a Proposal to amend Article VI, being the Judicial Department.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Committee of the Whole.

In accordance with the Special Order entered on February 27th, the President called Mr. Gale to the chair.

And at the hour of 10:40 o'clock a. m., the Convention went into Committee of the Whole for the consideration of the various Proposals concerning Revenue, Taxation and Finance.

At the hour of 6:27 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Gale from the Committee of the Whole reported that the committee had made progress and asked leave to sit again.

The Report of the Committee was concurred in.

And at the hour of 6:30 o'clock p. m., Mr. Shanahan moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

WEDNESDAY, MARCH 3, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. H. D. Helwig, of the First Christian Church, of Beardstown.

The Journal of Friday, February 27, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up, and no corrections appearing was ordered to stand approved.

By unanimous consent, Mr. Rosenberg introduced Proposal No. 334, a Proposal exempting and excluding of and from all and any statutes pertaining to child labor and compulsory education of children engaged in theatrical or musical performances.

The Proposal was taken up, read by title and advanced for reference.

The Convention proceeding on the order of First Reading and Reference of Proposals.

Proposal No. 326, a Proposal for an article on revenue.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 327, a Proposal in relation to revenue.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 328, a Proposal providing for a mortgage registration tax.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 329, a Proposal to authorize zoning legislation.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Municipal Government.

Proposal No. 330, a Proposal to provide for the consolidation of local governments having jurisdiction wholly or partly within the county of Cook.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Chicago and Cook County.

Proposal No. 331, a Proposal to establish a County of Domestic Relations, with exclusive and original jurisdiction in certain cases, and as a branch of the Circuit Court in counties having a population of over fifty thousand (50,000) inhabitants.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 332, a Proposal to amend section X of the "Bill of Rights," being Article II of the Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Bill of Rights.

Proposal No. 333, a Proposal to provide for legislation to fix the value of dower or homestead, where husband or wife refuses to join in conveyance and to provide a remedy to relinquish such dower or homestead.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Miscellaneous Subjects.

The President announced, for the information of the delegates, that all errors appearing in the advance sheets of the Convention Debates, where correction is desired, should be reported to the Official Reporter so that corrections may be made before the final printing of the same.

Whereupon Mr. Hull suggested that only such changes should be made as will conform with the facts and that no new or additional matter should be added.

Pending discussion, Mr. Cutting moved that a committee be appointed, by the President, to supervise the printing and correcting of the Convention Debates.

Mr. Hamill moved as a substitute, for the motion of Mr. Cutting, that all corrections or errors in the first printing of the Debates be submitted to the President before changes are made.

Pending consideration, Mr. Hamill withdrew his substitute motion and moved that the motion of Mr. Cutting be referred to the Committee on Rules and Procedure.

Mr. McEwen raised the point of order that the motion of Mr. Cutting was out of order for the reason that the rules now provide, under division 8, page 18, Rule 51, that the President shall have supervision of the printing of the Debates of the Convention.

The President ruled that the point of order was at least premature and that the motion of Mr. Hamill to refer the motion of Mr. Cutting to the Committee on Rules and Procedure was in order.

And the question being on the motion to refer, it was decided in the affirmative.

Upon request of Mr. Whitman, Mr. Clarke was excused from further attendance at the Convention for the week on account of the death of his mother.

At the hour of 10:40 o'clock a. m., Mr. Green moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

THURSDAY, MARCH 4, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. H. D. Helwig, of the First Christian Church, of Beardstown.

The Journal of Tuesday, March 2, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

By unanimous consent, Mr. Revell introduced Proposal No. 335, a Proposal to prescribe a loyalty test for all candidates seeking nomination or election to the General Assembly, or to any office of profit or trust in this State.

The Proposal was taken up, read by title and advanced for reference.

By unanimous consent, Mr. Revell introduced Proposal No. 336, a Proposal to provide for the election of Senators in counties which contain more than one senatorial district.

The Proposal was taken up, read by title and advanced for reference.

The Convention proceeding on the order of First Reading and Reference of Proposals.

Proposal No. 334, a Proposal exempting and excluding of and from all and any statutes pertaining to child labor and compulsory education of children engaged in theatrical or musical performances.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Education.

Upon request the following Delegates were excused from attendance at the Convention for the remainder of this week: Messrs. Baldwin, Corlett, Pincus, Dryer, Conkling, G. A. Dupuy, Cutting, Gee, Pearce, Stahl, and E. H. Dupee.

Mr. Jarman asked unanimous consent to withdraw his Resolution No. 22 introduced on Thursday, February 26, from the Committee on Rules and Procedure.

Mr. Trautmann raised the point of order that the resolution had been referred, by the Convention, to the committee and that, under the rules, it could not be withdrawn from the committee except upon an affirmative vote of a majority of the Convention.

The President ruled the point of order well taken.

Mr. Jarman thereupon moved that the Committee on Rules and Procedure be discharged from further consideration of the resolution.

Mr. Green moved to lay that motion on the table.

And the question being on the motion to table, Mr. Jarman raised the point of no quorum.

Whereupon the President ordered a call of the Convention as follows:

Those answering present are: Messrs.

Barr	Gale	Lindly	Paddock	Sutherland
Brenholt	Garrett	Lohman	Potts	Taff
Carlstrom	Gilbert	McGuire	Quinn	Tanner
Coolley	Gorman	Meinert	Revell	Todd
Corcoran	Green	Michaelson	Rinaker	Traeger
Cruden	Hamill	Michal	Rosenberg	Trautmann
Davis	Iarussi	Mighell	Shanahan	Wall
Dawes	Ireland	Mills	Shaw	Whitman
Dove	Jarman	Moore	Shuey	Wilson
Dunlap	Kerrick	Morris	Six	Woodward
Frole	Kunde	Nichols	Smith	Mr. President
Fyke	Latchford	O'Brien	Sneed	Present—59.

The President announced that a quorum of the Convention was present.

The question then recurring on the motion to table, it was decided in the affirmative.

And the motion of Mr. Jarman was ordered to lie on the table.

At the hour of 10:25 o'clock a. m., Mr. Green moved that the Convention do now adjourn until Tuesday, March 9, 1920, at 10:00 o'clock a. m.

The motion prevailed.

And the Convention stood adjourned.

TUESDAY, MARCH 9, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. H. B. Lewis, of the First Methodist Church, of Kewanee.

The Journal of Wednesday, March 3rd, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

The Convention proceeding on the Order of First Reading and Reference of Proposals.

Proposal No. 335, a Proposal to prescribe a loyalty test for all candidates seeking nomination or election to the General Assembly, or to any office of profit or trust in this State.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Legislative Department.

Proposal No. 336, a Proposal to provide for the election of Senators in counties which contain more than one Senatorial district.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Legislative Department.

Mr. Goodyear offered the following resolution and moved its adoption:

RESOLUTION No. 24.

WHEREAS, On yesterday afternoon, Almighty God out of his infinite providence called from his earthly labors to the better life our fellow-worker and member, the Hon. Edward C. Curtis, a Delegate to this Constitutional Convention from the Twentieth Senatorial district and a resident of Grant Park, in the county of Kankakee, and,

WHEREAS, We recall that more than fourteen years ago, Senator Curtis introduced in the legislature a resolution to call a Constitutional Convention which he believed would result in giving to the people of the State of Illinois, wider liberties and a better government, and ever afterward used his efforts and experience to procure the adoption of a resolution providing for such Convention; and due to his efforts more than to the efforts of any other individual this Convention was called, organized and is now assembled, and,

WHEREAS, We realize that by his death we have lost one whose rare ability, broad judgment and high purposes were conceded by all who knew him, one who wise counsels we have sought, and one whose life his constituents honored by calling him to positions of high responsibility and trust; and,

WHEREAS, In his private life, Senator Curtis was a man among men, clear and pure in thought, in word and in deed, always upholding all that was good, beautiful and true; that as a member of the General Assembly of Illinois for more than a quarter of a century, he leaves behind him a record of accomplishment that no other legislator of his time has excelled, fearless in the discharge of his duty, courageous in the advocacy of public measures, indefatigable and tactful in his labors, he has left an indelible impress upon the legislation and administration of this State, his name

being identified with all of the constructive measures enacted in this State during the last quarter of a century. Public clamor and unjust and unfair criticism never swerved him from the assertion and promotion of measures which he deemed to be fair, just and true. Amiable in disposition, lovable in character, steadfast in friendship, he endeared himself to his friends both in public and private life. Therefore, be it

Resolved, That this Convention express its deep regret at the loss of one of its most useful and honored members, and at the loss to the people of the State of Illinois and to his community of one of its best citizens and ablest statesmen, and that it extends its heartfelt sympathy to the members of the bereaved family; and, be it further

Resolved, That a committee of fifteen members be appointed by the President to represent the Convention at the funeral; that this preamble and resolution be entered on the Journal of the Convention; that a suitably engrossed copy thereof be forwarded to the family, and as a further mark of respect to his memory that the Convention do now adjourn.

In seconding the adoption of the resolution appropriate remarks were made by Messrs. Shanahan, Hull, Traeger, Wall, Barr, Gale and Coolley.

The resolution was unanimously adopted by a rising vote; and, in accordance therewith, at the hour of 11:35 o'clock a. m., the Convention stood adjourned.

In accordance with the foregoing resolution the President appointed the following Delegates as members of the committee to attend the funeral: Messrs. Goodyear, Mighell, Coolley, Dunlap, Green, Barr, Hull, Lindly, Corlett, Gale, Shanahan, L. C. Johnson, Tanner, Miller and Wall.

WEDNESDAY, MARCH 10, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. H. B. Lewis, of the First Methodist Church, of Kewanee.

The Journal of Thursday, March 4th, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up, and no corrections appearing was ordered to stand approved.

By unanimous consent, Mr. Revell introduced Proposal No. 337, a Proposal to amend Article VIII of the Constitution of 1870.

The Proposal was taken up, read by title and advanced for reference.

By unanimous consent, Mr. Mack, by request, introduced Proposal No. 338, a Proposal to amend section 1 of Article IX, Revenue.

The Proposal was taken up, read by title and advanced for reference.

The Convention proceeding on the Order of Reports of Standing Committees.

Mr. Beckman, from the Committee on Military Affairs, submitted the following report:

Your Committee on Military Affairs to which was referred Proposals numbered 14, 112, 234, and Article 12 of the Constitution of 1870.

Reports the same back with a substitute therefore, being Proposal No. 339, a Proposal to provide for the militia.

And recommends that the original Proposals, above enumerated, be rejected, and that the substitute Proposal No. 339 be placed on the General Orders.

WILLIAM H. BECKMAN,
ABEL DAVIS,
WILLIAM T. HOLLENBECK,
J. MACK TANNER,
JAMES NICHOLS,
CHARLES B. T. MOORE,
E. B. COOLLEY,
WM. H. CRUDEN,
Committee.

The report of the Committee was ordered printed, and to lie on the table.

To the Honorable, the Delegates of the Constitutional Convention:

Your Committee, to whom was referred Article Twelve (12) of the Constitution of 1870, have given careful study to each and every provision thereof and after much discussion and with the help and advise of those who have been in military authority in State affairs for the last decade, we have concluded that the first five sections of said article are understood, applicable and easily workable.

Section Six (6) seems to have outlived its original purpose and outworn its usefulness. At the time that section was adopted, there was probably some potent reason for it. The experience of mankind through the world-war has demonstrated the fact that there are men who sincerely have conscientious scruples against bearing arms, hence we have submitted a sub-

stitute providing that such man may serve in any capacity declared by the Commander-in-Chief to be non-combatant. The substitute provision submitted requires of each man a contribution of personal service and eliminates his possibility of employing anyone else to serve for him.

Respectfully submitted,

WILLIAM H. BECKMAN,
Chairman Committee on Military Affairs.

COMMITTEE OF THE WHOLE.

In accordance with the Special Order entered on February 27th, the President called Mr. Brandon to the chair.

And at the hour of 10:15 o'clock a. m., the Convention went into Committee of the Whole for the consideration of the various Proposals relating to or affecting education, and particularly the revenue Proposals as affecting said subject.

At the hour of 11:57 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Brandon from the Committee of the Whole reported that the Committee had made progress and asked leave to sit again.

The Report of the Committee was concurred in.

And at the hour of 11:59 o'clock p. m., Mr. Brenholt moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

THURSDAY, MARCH 11, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. H. B. Lewis, of the First Methodist Church, of Kewanee.

The Journal of Tuesday, March 9, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

The Convention proceeding on the order of First Reading and Reference of Proposals.

Proposal No. 337, a Proposal to amend Article VIII of the Constitution of 1870.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Education.

Proposal No. 338, a Proposal to amend section I of Article IX—revenue.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

The President, as chairman, laid before the Convention the following report from the Committee on Rules and Procedure, to-wit:

Committee Report.

The Committee on Military Affairs having presented its report, with a Proposal on the subject matter considered by said committee, being Proposal No. 339, and said report having been ordered to lie on the table and be printed;

Your Committee on Rules and Procedure recommends that said report be now taken from the table and the recommendations of the committee concurred in.

The question being on the adoption of the report of the Committee on Rules and Procedure, it was decided in the affirmative.

And Proposal No. 339, was placed on the general orders.

Mr. Gorman submitted the following report and moved its adoption:

According to Resolution No. 7, adopted by the Convention on Wednesday, January 14, 1920, the President of the Convention appointed a committee to attend the funeral of our late co-delegate, Michael F. Sullivan, of the Second Senatorial District, the members of which were the following:

Messrs. Gorman, Chairman; O'Brien, Rosenberg, Michaelson, Corcoran, Potts, Kunde, Pincus, Iarussi, Beckman, Traeger, Latchford, Davis, Wolff, Charles Woodward, Frole, McEwen, Michal, Sutherland and Dupee.

Your committee desires to report that it attended the funeral of our said late co-delegate, Michael F. Sullivan, in the city of Chicago, on the 15th day of January, 1920, and that Delegate Potts of the committee accompanied the funeral cortege to Logansport, Indiana, and that the following expenses were incurred by your committee. as evidenced by statements hereto attached:

Schiller, the florist, for basket of roses	$50.00
O'Hara and Kehoe, for two automobiles at funeral	25.00
Expenses of Delegate Potts to Logansport, Indiana, and return, railroad fare, meals, etc	10.00
Total	$85.00

Pursuant to the following report, I have submitted bills as above outlined to your Committee on Expenditures and Supplies for payment.

Respectfully submitted,

JOHN J. GORMAN, *Chairman.*

Pending the adoption of the report of the committee, the President made the following statement:

"The committee has reported that certain expenses were incurred in attending the funeral of Delegate Sullivan. The Convention heretofore, pursuant to the rules made an appropriation, as the Chair understands it, by a roll call vote to pay expenses such as were incurred by this committee. The Chair does not understand under the rules therefore that a roll call vote will be necessary for the report submitted by Delegate Gorman."

And the question being on the adoption of the report of the committee, it was decided in the affirmative by a unanimous vote.

At the hour of 10:35 o'clock a. m., Mr. Green moved that the Convention do now adjourn until Tuesday, March 16, 1920, at 10:00 o'clock a. m.

The motion prevailed.

And the Convention stood adjourned.

TUESDAY, MARCH 16, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Edward E. Hastings, of the Central Presbyterian Church, of Joliet.

The Journal of Wednesday, March 10, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

By unanimous consent, Mr. Traeger, by request, introduced Proposal No. 340, a Proposal relative to the election and appointment of public officers.

The Proposal was taken up, read by title and advanced for reference.

By unanimous consent, Mr. Frole introduced Proposal No. 341, a Proposal to omit certain words from the preamble of the present Constitution.

The Proposal was taken up, read by title and advanced for reference.

Mr. Iarussi offered the following resolution which, on motion of Mr. Gorman, was referred to the Committee on Education:

Resolution No. 24.

Whereas, Many good citizens of the State of Illinois are descendants of persons born in Italy, and

Whereas, The Italian language has been the medium of expression in literature and music for centuries, and

Whereas, As a cultural agent the Italian tongue is comparable with any of the languages of modern Europe; therefore, be it

Resolved, That it is the sense of this Convention that the State Superintendent of Public Instruction should be advised and through him the educational system of the State should be advised that instruction in the Italian language should be offered in the better high schools of the State, particularly in those within whose jurisdiction there live a considerable number of persons of Italian extraction.

On account of the death of Mr. Curtis, the President appointed Mr. Shanahan, chairman, and Mr. Barr a member of the Committee on Legislative Department and Mr. Paddock a member of the Committee on Rules and Procedure.

At the hour of 10:20 o'clock a. m., Mr. Gale moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

WEDNESDAY, MARCH 17, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Edward E. Hastings, of the Central Presbyterian Church, of Joliet.

The Journal of Thursday, March 11th, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

The President, as chairman, laid before the Convention the following report from the Committee on Rules and Procedure:

COMMITTEE REPORT.

Your Committee on Rules and Procedure to which was referred the following resolution, to-wit:

RESOLUTION No. 22.

Resolved, That after the first day of March, 1920, except as specially otherwise ordered, the Convention meet at 10:00 o'clock a. m., on each day, except Sunday and Monday.

Reported the same back with the recommendation that it be not adopted.

The question being on the adoption of the report of the Committee on Rules and Procedure, it was decided in the affirmative.

And Resolution No. 22 was rejected.

The Convention proceeding on the Order of Reports of Standing Committee.

Mr. Brandon, from the Committee on Education, submitted the following report:

To the President and Delegates of the Constitutional Convention:

Your Committee on Education, to which was referred Proposal No. 84, being a Proposal to provide for the non-sectarian reading of the Bible in the public schools, begs leave to report, that it has considered this Proposal.

And your committee recommend that in as much as other proposals on the same subject matter have been referred to the Committee on Bill of Rights, and in as much as it appears to your committee that the subject matter properly belongs in the field of activity of that committee.

Your committee respectfully recommend that Proposal No. 84 be re-referred to the Committee on Bill of Rights for final consideration and ultimate report.

(Signed) EDWARD J. CORCORAN,
MICHAEL ROSENBERG,
MICHAEL IARUSSI,
ARCHIBALD J. CAREY,
WILLIAM S. GRAY,
RODNEY H. BRANDON,
W. H. BECKMAN,
GEORGE A. BARR,
H. M. DUNLAP.
Committee.

The question being on the adoption of the Report of the Committee on Education, it was decided in the affirmative.

And Proposal No. 84 was re-referred to the Committee on Bill of Rights.

By unanimous consent, Mr. Michaelson introduced Proposal No. 342, a Proposal to prohibit public officials drawing more than one salary at the same time from public funds.

The Proposal was taken up, read by title and advanced for reference.

By unanimous consent, Mr. Dunlap introduced Proposal No. 343, a Proposal to provide for the levy and collection of taxes.

The Proposal was taken up, read by title and advanced for reference.

By unanimous consent, Mr. Michal introduced Proposal No. 344, a Proposal providing for the validation and collection of taxes.

The Proposal was taken up, read by title and advanced for reference.

By unanimous consent, Mr. Michal introduced Proposal No. 345, a Proposal providing for the employment of convict labor.

The Proposal was taken up, read by title and advanced for reference.

By unanimous consent, Mr. Jarman introduced Proposal No. 346, a Proposal to amend the Constitution concerning home rule for municipalities.

The Proposal was taken up, read by title and advanced for reference.

The Convention proceeding on the Order of First Reading and Reference of Proposals.

Proposal No. 340, a Proposal relative to the election and appointment of public officers.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Suffrage.

Proposal No. 341, a Proposal to omit certain words from the Preamble of the present Constitution.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Bill of Rights.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Beckman to the chair.

And at the hour of 10:55 o'clock a. m., the Convention went into Committee of the Whole for the consideration of Proposal No. 339.

At the hour of 12:07 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Beckman, from the Committee of the Whole, having had under consideration Proposal No. 339, reported that the committee had made progress but asked that section 4, together with Amendment No. 1, offered by Mr. Davis to said Proposal, be re-committed to the Committee on Military Affairs and that the Committee of the Whole be granted leave to sit again.

The report of the committee was concurred in.

And at the hour of 12:10 o'clock p. m., Mr. Green moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

THURSDAY, MARCH 18, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Edward E. Hastings, of the Central Presbyterian Church, of Joliet.

The Journal of Tuesday, March 16, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The Convention proceeding on the order of First Reading and Reference of Proposals.

Proposal No. 342, a Proposal to prohibit public officials from drawing more than one salary at the same time from public funds.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Miscellaneous Subjects.

Proposal No. 343, a Proposal to provide for the levy and collection of taxes.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 344, a Proposal providing for the validation and collection of taxes.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Revenue, Taxation and Finance.

Proposal No. 345, a Proposal providing for the employment of convict labor.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Industrial Affairs and Labor.

Proposal No. 346, a Proposal to amend the Constitution concerning home rule for municipalities.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Municipal Government.

At the hour of 10:35 o'clock a. m., Mr. Beckman moved that the Convention do now adjourn until Tuesday, March 23, 1920.

The motion prevailed.

And the Convention stood adjourned.

TUESDAY, MARCH 23, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Father L. C. Tholen, of the St. Peter and Paul Church, of Nauvoo.

The Journal of Wednesday, March 17th, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing was ordered to stand approved.

The President, as chairman, laid before the Convention the following report from the Committee on Rules and Procedure, to-wit:

COMMITTEE REPORT.

Your Committee on Rules and Procedure reports the following matters for consideration in Committee of the Whole today, March 23rd, upon reaching the general orders, namely:

The consideration of the various proposals relating to or affecting the organization of the Judicial Department.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

The President, as chairman, laid before the Convention the further report from the Committee on Rules and Procedure, to-wit:

COMMITTEE REPORT.

It having come to the knowledge of your Committee on Rules and Procedure that the Hon. William Jennings Bryan of Nebraska will be in the City of Springfield tomorrow, March 24, 1920, therefore this committee reports the following resolution, and recommends its adoption:

RESOLUTION No. 25.

Resolved, That the President of this Convention be, and he is hereby requested to extend an invitation from this body to the Hon. William Jennings Bryan to appear before and address this Convention at 10:15 o'clock a. m., tomorrow, Wednesday, March 24, 1920.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

The President, as chairman, laid before the Convention the further report from the Committee on Rules and Procedure, to-wit:

COMMITTEE REPORT.

Your Committee on Rules and Procedure has been requested by the chairman of the Committee on Agriculture and the chairman of the Committee on Industrial Affairs and Labor to invite the Hon. Henry J. Allen, Governor of the State of Kansas, who will be in Springfield on Friday, March 26th, to address the Committee of the Whole of this Convention on that date on the subjects of "Land Tenantry and Industrial Courts." Therefore, be it

RESOLUTION NO. 26.

Resolved, That the President of this Convention be, and he is hereby requested to extend an invitation to Governor Allen, to address the Committee of the Whole of this Convention on March 26, 1920, on the subjects of "Land Tenantry and Industrial Courts."

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

COMMITTEE OF THE WHOLE.

In accordance with the Special Order heretofore entered, the President called Mr. DeYoung to the chair.

At the hour of 10:15 o'clock a. m., the Convention went into Committee of the Whole for the consideration of the various proposals relating to or affecting the organization of the Judicial Department.

At the hour of 6:15 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. DeYoung from the Committee of the Whole reported that the committee had made progress and asked leave to sit again.

The report of the committee was concurred in.

And at the hour of 6:17 o'clock p. m., Mr. Miller moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

WEDNESDAY, MARCH 24, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Father L. C. Tholen, of the St. Peter and Paul Church, of Nauvoo.

The Journal of Thursday, March 18, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The President, as chairman, laid before the Convention the following report from the Committee on Rules and Procedure, to-wit:

COMMITTEE REPORT.

Your Committee on Rules and Prccedure reports the following matters for consideration in the Committee of the Whole on Thursday, April 1, 1920.

The consideration of the various proposals before the Committee on Municipal Government.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

The President, as chairman, laid before the Convention the further report from the Committee on Rules and Procedure, to-wit:

COMMITTEE REPORT.

Your Committee on Rules and Procedure to which was referred the motion of the delegate from Cook, Mr. Cutting, that a committee be appointed by the President to supervise the printing and correcting of the Convention debates, having duly considered said motion, recommends that a committee of three to supervise the printing and correcting of the Convention debates be appointed by the President, to aid and assist in that work.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

The President thereupon appointed as the committee provided for in the above report, Messrs. Clarke, Dryer and Brandon.

The hour of 10:15 o'clock a. m., having arrived, the President, in accordance with the resolution adopted on yesterday, introduced the Hon. William Jennings Bryan, who addressed the Convention on the fundamentals of Constitution making.

At the hour of 12:05 o'clock p. m., Mr. Green moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

THURSDAY, MARCH 25, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Father L. C. Tholen, of the St. Peter and Paul Church, of Nauvoo.

The Journal of Tuesday, March 23, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The Convention proceeding on the order of Reports of Standing Committees.

Mr. Fyke submitted the following report:

To the Honorable, Charles E. Woodward, President, Constitutional Convention:

The Committee on Corporations and Co-operative Associations respectfully returns to the Convention, Proposal No. 157, with the request that it be re-referred to the Committee on Distinction Between Legislative and Constitutional Subjects.

EDGAR E. FYKE, *Chairman.*

The question being on the adoption of the report of the committee, it was decided in the affirmative.

And Proposal No. 157, was re-referred to the Committee on Distinction Between Legislative and Constitutional Subjects.

At the hour of 10:15 o'clock a. m., Mr. Revell moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

FRIDAY, MARCH 26, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Father L. C. Tholen, of the St. Peter and Paul Church, of Nauvoo.

The Journal of Wednesday, March 24, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

At the hour of 10:10 o'clock a. m., Mr. Green moved that the Convention do now take a recess until 2:30 o'clock p. m.

And the motion prevailed.

2:30 o'Clock P. M.

The hour of 2:30 o'clock p. m. having arrived, the Convention resumed its session.

The President presiding.

In accordance with the resolution adopted on March 23, the President called Mr. Dunlap to the chair.

And at the hour of 2:40 o'clock p. m., the Convention went into Committee of the Whole.

Whereupon Mr. Dunlap introduced Hon. Henry J. Allen, Governor of Kansas, who addressed the Committee of the Whole on the subjects of land tenantry and industrial courts.

At the hour of 4:20 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Dunlap, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

And at the hour of 4:25 o'clock p. m., Mr. Hamill moved that the Convention do now adjourn until Tuesday, March 30, 1920, at 10:00 o'clock a. m.

The motion prevailed.

And the Convention stood adjourned.

TUESDAY, MARCH 30, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. G. W. Chessman, of the First Baptist Church, of Ottawa.

The Journal of Thursday, March 25th, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The President, as chairman, laid before the Convention the following report from the Committee on Rules and Procedure:

Committee Report.

Your Committee on Rules and Procedure reports the following special order of business under general orders for tomorrow, Wednesday, March 31st:

Consideration in the Committee of the Whole of the various proposals pending before the Committee on Initiative, Referendum and Recall.

Also as special order of business under general orders on Wednesday, April 7th:

The consideration of Proposal No. 232.

The question being on the adoption of the report from the Committee on Rules and Procedure.

It was decided in the affirmative.

The President, as chairman, laid before the Convention the further report from the Committee on Rules and Procedure:

Committee Report.

Your Committee on Rules and Procedure suggests that under the general orders of this day, the delegates composing this Convention be and they are hereby requested to discuss in Committee of the Whole the general subject of the plan and policy to be followed in the preparation and draft of the revised Constitution, and the fundamental ideas which should control and limit the activities of this Convention.

The question being on the adoption of the report from the Commitmittee on Rules and Procedure.

It was decided in the affirmative.

By unanimous consent, Mr. Elting introduced Proposal No. 347, a Proposal to amend Article 2 by adding the following section to the Bill of Rights.

The Proposal was taken up, read by title and advanced for reference.

By unanimous consent, Mr. Elting introduced Proposal No. 348, a Proposal to amend section 3 of Article II of the Bill of Rights.

The Proposal was taken up, read by title and advanced for reference.

By unanimous consent, Mr. Elting introduced Proposal No. 349, a Proposal to amend section 3 of Article VIII, entitled Education.

The Proposal was taken up, read by title and advanced for reference.

General Orders.

The Convention proceeding on the general orders, the President called Mr. Barr to the chair.

And at the hour of 10:15 o'clock a. m., the Convention went into Committee of the Whole for the general discussion of the plan and policy to be followed in the preparation and draft of the revised Constitution and the fundamental ideas which should control and limit the activities of this Convention.

At the hour of 6:06 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Barr from the Committee of the Whole reported that the committee has made progress and asked leave to sit again.

The report of the committee was concurred in.

And at the hour of 6:07 o'clock p. m., Mr. Trautmann moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

WEDNESDAY, MARCH 31, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. G. W. Chessman, of the First Baptist church, of Ottawa.

The Journal of Friday, March 26th, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The Convention proceeding on the order of Reports of Standing Committees.

Mr. Clarke submitted the following report:

REPORT OF COMMITTEE.

Your committee to edit the proceedings of the Convention begs leave to submit the following report:

The committee recommends that a period of ten days be allowed the delegates for delivery to the chairman of this committee, of corrected copy of the printed proceedings as laid upon the desks, and recommends that, in the event no corrections are suggested by members within that length of time, it shall be the duty of the committee to complete the proof reading under its own supervision.

And your committee further recommends that the policy of the convention be to permit corrections in language only to an extent which will not change the substance of the statement as made on the floor.

Respectfully submitted,

(Signed) ELAM L. CLARKE,
RODNEY H. BRANDON,
JOHN L. DRYER.
Committee.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

By unanimous consent, Mr. Trautmann introduced Proposal No. 350, a Proposal to provide for the apportionment of the State for representation in the General Assembly.

The Proposal was taken up, read by title and advanced for reference.

The Convention proceeding on the order of First Reading and Reference of Proposals.

Proposal No. 347, a Proposal to amend Article 2 by adding the following section to the Bill of Rights.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Bill of Rights.

Proposal No. 348, a Proposal to amend section 3 of Article II of the Bill of Rights.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Bill of Rights.

Proposal No. 349, a Proposal to amend section 3 of Article VIII, entitled Education.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Bill of Rights.

Committee of the Whole.

In accordance with the special order entered on Tuesday, March 30th, the President called Mr. Dove to the chair.

And at the hour of 10:15 o'clock a. m., the Convention went into Committee of the Whole for the consideration of the various proposals pending before the Committee on Initiative, Referendum and Recall.

At the hour of 10:56 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Dove from the Committee of the Whole reported that the committee had made progress and asked leave to sit again.

The report of the committee was concurred in.

By unanimous consent, Mr. Beckman from the Committee on Military Affairs submitted the following report:

Your Committee on Military Affairs to which was re-committed *Section No. 4 together with Amendment No. 1 of Proposal No. 339*, reports as follows:: *Amendment No. 1* by unanimous vote was laid upon the table. *Section No. 4 of said Proposal No. 339* by unanimous vote is reported back to the Convention with the recommendation that it be adopted.

The Committee voted unanimously to lay on the table *Amendment No. 1* on the strength of the opinion rendered to the Committee by the Attorney General of Illinois, the effect of which is, that under *Section 8, Article 2* of the Constitution of 1870 "A member of the Militia when in active service in time of war or public danger is exempt from arrest by Civil Authority".

With this construction as a basis, the Committee recommends the retention of *Section 4, Article 12* of the Constitution of 1870 on the theory as explained by the opinion of the Attorney General, which is attached to our report—that said *Section 4* supplements the effect of *Section 8* of *Article 2* giving the Members of the Militia further protection in going to and coming from muster except in cases of treason, felony or breach of the peace.

The committee voted to retain the word "muster," relying on the same opinion of the Attorney General in which the word "muster" is defined. Said definition of the Attorney General was adopted by the committee as its opinion.

(Signed) W. H. Beckman,
Abel Davis,
James Nichols,
E. B. Coolley,
Wm. H. Cruden,
C. B. T. Moore,
J. Mack Tanner.
Committee.

The report of the committee was ordered printed and to lie on the table.

By unanimous consent, Mr. Cruden from the Committee on Suffrage submitted the following report:

Your Committee on Suffrage and Elections, to which was referred Proposals numbered 9, 20, 28, 34, 53, 88, 164, 190, 193, 198, 204, 205, 262, 291, 299,

and 340, reports the same back with a substitute therefor, being Proposal No. 351, a proposal in relation to Suffrage and Elections, and recommends that the original proposals, above enumerated, be rejected, and that the substitute Proposal No. 351, be placed on the general orders.

(Signed) WM. H. CRUDEN,
JOHN E. TRAEGER,
S. W. MCGUIRE,
ROLLO SIX,
GEO. F. LOHMAN,
ANDREW H. MILLS,
WILL STEWART,
THOMAS F. FROLE,
Committee.

The report of the committee was ordered printed, and to lie on the table.

At the hour of 11:05 o'clock p. m., Mr. Brenholt moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

THURSDAY, APRIL 1, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. G. W. Chessman, of the First Baptist Church, of Ottawa.

The Journal of Tuesday, March 30, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing was ordered to stand approved.

By unanimous consent, Mr. Michal introduced Proposal No. 352, a Proposal relative to powers, rights and duties of legislative committees.

The Proposal was taken up, read by title and advanced for reference.

By unanimous consent, Mr. Carlstrom introduced Proposal No. 353, a Proposal to provide a new article in the Constitution respecting cities and villages.

The Proposal was taken up, read by title and advanced for reference.

The Convention proceeding on the order of First Reading and Reference of Proposals.

Proposal No. 350, a Proposal to provide for the apportionment of the State for representation in the General Assembly.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Legislative Department.

Mr. Mack, by request, presented a petition from members of the Elvaston community in relation to the reading of the Bible in the public schools, which was referred to the Committee on Bill of Rights.

Mr. Hamill moved that when the Convention adjourns today it stand adjourned until Wednesday, April 7, 1920.

Mr. Mills moved as a substitute that when the Convention adjourns today it stand adjourned until tomorrow.

And the question being on the substitute motion, it was decided in the negative.

The question recurring on the motion of Mr. Hamill, it was decided in the affirmative.

Committee of the Whole.

In accordance with the special order entered on Wednesday, March 24, the President called Mr. Garrett to the chair.

And at the hour of 10:30 o'clock a. m., the Convention went into Committee of the Whole for the consideration of various Proposals pending before the Committee on Municipal Government.

At the hour of 10:40 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Garrett, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

The report of the committee was concurred in.

At the hour of 10:42 o'clock p. m., Mr. Garrett moved that the Convention do now adjourn.

The motion prevailed.

And in accordance with the motion heretofore adopted the Convention stood adojurned until Wednesday, April 7, 1920, at 10:00 o'clock a. m.

WEDNESDAY, APRIL 7, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Walter Aitken, of the First Methodist Episcopal Church, of Urbana.

The Journal of Wednesday, March 31st, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The Convention proceeding on the order of First Reading and Reference of Proposals.

Proposal No. 325, a Proposal relative to the Judiciary.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Judicial Department.

Proposal No. 352, a Proposal relative to Powers, Rights and Duties of Legislative Committees.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Legislative Department.

Proposal No. 353, a Proposal to provide a new article in the Constitution respecting cities and villages.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Municipal Government.

Committee of the Whole.

In accordance with the Special Order entered on Tuesday, March 30th, the President called Mr. Sneed to the chair.

And at the hour of 10:15 o'clock a. m., the Convention went into Committee of the Whole for the consideration of Proposal No. 232.

At the hour of 5:47 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Sneed from the Committee of the Whole reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

The Convention again proceeding on the order of Reports of Standing Committees, Mr. Lindly sumbitted the following report:

Your Committee on Public Works and Improvements to which was referred Proposal No. 47 reports the same back with a substitute therefor, being Proposal No. 354, a proposal entitled "Canals and Waterways," and

recommends that the original proposal, above enumerated, be rejected, and that the substitute Proposal No. 354 be placed on hte General Orders.

(Signed) CICERO J. LINDLEY,
CHAS. H. IRELAND,
L. A. JARMAN,
WALTER H. WILSON,
WILLIAM M. SCANLAN,
LAWRENCE C. JOHNSON,
WILL STEWART,
W. H. CHEW.
WILLIAM GANSCHOW.
Committee.

The report of the committee was ordered printed, and to lie on the table.

Mr. Trautmann submitted the following report:

Your Committee on Executive Department to which was referred Proposal No. 50 reports the same back with the recommendation that it be re-referred to the Committee on Judicial Department.

(Signed) WM. E. TRAUTMANN,
FREDERIC R. DEYOUNG,
CHARLES S. CUTTING,
FRANK S. WHITMAN,
MICHAEL IARUSSI,
HENRY I. GREEN,
LAWRENCE C. JOHNSON,
ROLLO SIX,
G. W. HOGAN,
J. MACK TANNER,
G. GALE GILBERT,
CYRUS E. DIETZ,
Committee.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

At the hour of 5:50 o'clock p. m., Mr. Trautmann moved that the Convention do now take a recess until 8:00 o'clock p. m.

And the motion prevailed.

8:00 O'CLOCK P. M.

The hour of 8 o'clock p. m. having arrived, the Convention resumed its session.

The President presiding.

The Convention proceeding on the general orders, the President called Mr. Sneed to the chair.

And at the hour of 8:02 o'clock p. m., the Convention again went into Committee of the Whole for the further consideration of Proposal No. 232.

At the hour of 11:55 o'clock p. m. the Convention resumed its session.

The President presiding.

Mr. Sneed from the Committee of the Whole reported that the Committee had made progress and asked leave to sit again.

The report of the committee was concurred in.

And at the hour of 11:57 o'clock p. m., Mr. Green moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

THURSDAY, APRIL 8, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Walter Aitken, of the First Methodist Episcopal Church, of Urbana.

The Journal of Thursday, April 1st, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The President, as chairman, laid before the Convention the following report from the Committee on Rules and Procedure, to-wit:

COMMITTEE REPORT.

The Committee on Military Affairs having presented its amended report, with the recommendation that its report be adopted, and said report having been ordered to lie on the table and be printed;

Your Committee on Rules and Procedure recommends that said amended report be now taken from the table and placed on the general orders; and

That consideration of the said report of the Committee on Military Affairs be made special order of business for consideration in Committee of the Whole under the general orders of this day.

The question being on the adoption of the report of the Committee on Rules and Procedure.

It was decided in the affirmative.

Mr. Gale submitted the following report:

Your Committee on Revenue, Taxation and Finance, to which was referred Proposal No. 323, being a Proposal to provide for the improvement of roads, highways and bridges, in whole or part, by special assessment, introduced by Mr. Dunlap, reports said Proposal No. 323 back to the Convention with the recommendation that it be re-referred to the Committee on County and Township Government.

(Signed) GEO. G. GALE,
DOUGLAS SUTHERLAND,
ALVIN WARREN,
ABEL DAVIS,
FRANK S. WHITMAN,
MARTIN J. O'BRIEN,
WATTS H. JOHNSON,
THOMAS C. KERRICK,
Committee.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

Mr. Dunlap submitted the following report:

Your Committee on Agriculture reports a proposal to authorize legislation for the conservation of forests and to provide for the taxation of forest

lands, being Proposal No. 355, and recommends that it be placed on the general orders.

(Signed) WILLIAM S. GRAY,
LAWRENCE C. JOHNSON,
WM. T. HOLLENBECK,
WILLIAM STEWART,
CHAS. V. PARKER,
HENRY W. MEINERT,
CHAS. H. IRELAND,
SYLVESTER J. GEE,
J. MACK TANNER,
WM. H. CRUDEN,
H. M. DUNLAP,
GUY L. SHAW,
FRANK S. WHITMAN,
ALVIN WARREN,
Committee.

The report of the committee was ordered printed and to lie on the table.

Mr. Elting presented a petition from members of the Methodist Church congregation in relation to the reading of the Bible in the public schools, which was referred to the Committee on Bill of Rights.

GENERAL ORDERS.

The Convention proceeding on the General Orders, the President called Mr. Beckman to the chair.

And at the hour of 10:25 o'clock a. m., the Convention went into Committee of the Whole for the further consideration of Proposal No. 339.

At the hour of 11:47 o'clock a. m., the Convention resumed its session.

The President presiding.

Mr. Beckman from the Committee of the Whole, having had under consideration Proposal No. 339, reported the same back together with the following amendments thereto, to-wit:

Amend Proposal No. 339, by adding at the end of section 1, the words, "Provided, no person shall, because of conscientious scruples against bearing arms, be exempted from military service in any capacity that the Governor shall declare to be noncombatant."

And also by striking out section 6 thereof.

And recommended that the proposal, as amended, do pass.

The report of the committee was concurred in and the Proposal was referred to the Committee on Phraseology and Style.

At the hour of 11:50 o'clock a. m., Mr. Green moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

FRIDAY, APRIL 9, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Walter Aitken, of the First Methodist Episcopal Church, of Urbana.

The Journal of Wednesday, April 7th, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The President, as chairman, laid before the Convention the following report from the Committee on Rules and Procedure, to-wit:

Committee Report.

Your Committee on Rules and Procedure recommends as a Special Order of Business under General Orders of the day on Wednesday, April 14, 1920, the further consideration in Committee of the Whole of Proposal No. 232.

The question being on the adoption of the report of the Committee on Rules and Procedure.

It was decided in the affirmative.

At the hour of 10:15 o'clock a. m., Mr. Green moved that the Convention do now adjourn until Wednesday, April 14, 1920, at 10 o'clock a. m.

The motion prevailed.

And the Convention stood adjourned.

WEDNESDAY, APRIL 14, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. I. E. Lee, of the First Baptist Church, of Herrin.

The Journal of Thursday, April 8th, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The President, as chairman, laid before the Convention the following report from the Committee on Rules and Procedure, to-wit:

Committee Report.

Your Committee on Suffrage having made its report to the Convention, with a substitute proposal, being Proposal No. 351, and said report under the rules having been ordered to lie on the table; your Committee on Rules and Procedure recommends that the said report of the Committee on Suffrage with Proposal No. 351, submitted by said committee, be taken from the table and placed on the general orders; and that the consideration of said report and Proposal No. 351 be made a special order of business for consideration in Committee of the Whole under general orders of the day on Thursday, April 15, 1920.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

At the hour of 10:10 o'clock a. m., Mr. Green moved that the Convention do now take a recess until 4:00 o'clock p. m.

And the motion prevailed.

4:00 o'Clock P. M.

The hour of 4:00 o'clock p. m. having arrived the Convention resumed its session.

The President presiding.

At the hour of 4:02 o'clock p. m., Mr. Hamill moved that the Convention do now take a further recess until 8:00 o'clock p. m.

And the motion prevailed.

8:00 o'Clock P. M.

The hour of 8:00 o'clock p. m. having arrived the Convention again resumed its session.

The President presiding.

Committee of the Whole.

In accordance with the special order entered on Friday, April 9th, the President called Mr. Fyke to the chair.

And at the hour of 8:02 o'clock p. m. the Convention went into Committee of the Whole for the further consideration of Proposal No. 232.

At the hour of 10:27 o'clock p. m. the Convention resumed its session.

The President presiding.

Mr. Fyke, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

The report of the committee was concurred in.

And at the hour of 10:30 o'clock p. m., Mr. Moore moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

THURSDAY, APRIL 15, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. I. E. Lee of the First Baptist Church, of Herrin.

The Journal of Friday, April 9th, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

By unanimous consent, Mr. Traeger introduced Proposal No. 356, a Proposal to provide protection to purchasers or agents dealing in live stock subject to mortgage in other States.

The Proposal was taken up, read by title and advanced for reference.

Mr. Mack presented two letters from Mr. C. E. Hoffsten, State Chairman of the National Lutheran Council, addressed to Hon. E. M. Rinaker and Rev. Wm. H. Nicholas, respectively, concerning the reading of the Bible in the public schools, which were read at large for the information of the Convention and referred to the Committee on Bill of Rights.

General Orders.

The Convention proceeding on the General Orders the President called Mr. Cruden to the chair.

And at the hour of 10:15 o'clock a. m., the Convention went into Committee of the Whole for the consideration of Proposal No. 351.

At the hour of 12:33 o'clock p. m. the Convention resumed its session.

The President presiding.

Mr. Cruden, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

Mr. O'Brien offered the following as a Memorial to the memory of the late Roger C. Sullivan and moved its adoption:

Memorial.

This Convention learns with profound regret of the death of Mr. Roger C. Sullivan.

He was one of the foremost citizens of Illinois. He was intimately identified with the social, financial, business and political life of the State. He attained unusual success as a leader in the financial and business world and in social and philanthropic endeavors his influence was wide and beneficent.

Conspicious not alone in the business and financial world but as well in the political affairs of State and nation, his leadership reached beyond faction or party.

Mr. Sullivan's wholesome influence and energetic labors contributed in large measure to the calling of this Convention. He was a patriot in all that the term implies. He devoted his time and energy during the trying days of the great war to the work of the State Council of Defense of which he was a member and the Secretary. Aided by his tact, skill, judgment and wisdom, the Council of Defense rendered invaluable service to the State and nation.

Financial leader and philanthropic citizen, statesman and patriot, he leaves a record which will not soon be forgotten.

Mindful of his services to the State, cherishing the memory of the lovable qualities of his character, we here record our own sense of loss and of our sympathy with his bereaved family.

Following appropriate remarks by Messrs. Whitman and Sutherland, the Memorial was unanimously adopted by a rising vote.

After which, Mr. O'Brien moved that, out of further respect to the memory of Mr. Sullivan the Convention do now adjourn.

The motion prevailed.

And at the hour of 12:45 o'clock p. m. the Convention stood adjourned.

FRIDAY, APRIL 16, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. I. E. Lee, of the First Baptist Church, of Herrin.

The Journal of Wednesday, April 14, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The Convention proceeding on the order of Reports of Standing Committees.

Mr. O'Brien submitted the following report:

Your Committee on Miscellaneous Subjects, to which was referred Proposals numbered 3 and 220, reports the same back with a substitute therefor, being Proposal No. 357, a proposal relative to the boundaries of the State of Illinois.

And recommends that the original Proposals, above enumerated, be rejected, and that the substitute Proposal No. 357, be placed on the General Orders.

(Signed) MARTIN J. O'BRIEN,
WM. T. HOLLENBECK,
WATTS A. JOHNSON,
HERBERT F. LILL,
GEO. F. LOHMAN,
JAMES H. PADDOCK,
E. B. COOLLEY,
S. E. PINCUS,
RODNEY H. BRANDON,
Committee.

The report of the committee was ordered printed, and to lie on the table.

Mr. O'Brien submitted the further report:

Your Committee on Miscellaneous Subjects, to which was referred Proposal No. 5, reports the same back with a substitute therefor, being Proposal No. 358, a Proposal to provide for the separation of the government into three departments.

And recommends that the original Proposal, above enumerated, be rejected, and that the substitute Proposal No. 358, be placed on the General Orders.

(Signed) MARTIN J. O'BRIEN,
GEO. F. LOHMAN,
JAMES H. PADDOCK,
HERBERT F. LILL,
WM. T. HOLLENBECK,
WATTS A. JOHNSON,
E. B. COOLLEY,
S. E. PINCUS,
RODNEY H. BRANDON,
Committee.

The report of the committee was ordered printed, and to lie on the table.

The Convention proceeding on the order of First Reading and Reference of Proposals.

Proposal No. 356, a Proposal to provide protection to purchasers or agents dealing in live stock subject to mortgage in other states.

Was taken up, read at large a first time, ordered printed and referred to the Committee on Legislative Department.

Mr. Hamill moved that the Convention do now adjourn until Tuesday, April 20, 1920.

Mr. Whitman moved to amend the motion, of Mr. Hamill, by striking out the words and figures, Tuesday, April 20, and substituting in lieu thereof the words and figures, Wednesday, April 21.

Mr. Dunlap raised the point of order that a motion to amend a motion to adjourn is out of order.

The President ruled that the point of order was not well taken for the reason that a motion to amend a motion to adjourn to a fixed time is in order.

Mr. Hamill accepted the amendment of Mr. Whitman.

Whereupon Mr. Dunlap moved as a substitute motion that when the Convention adjourns today it stand adjourned until Tuesday, April 20, 1920.

And the question being on the adoption of the substitute, it was decided in the negative.

The question recurring on the motion of Mr. Hamill, as amended, it was decided in the affirmative.

And at the hour of 10:15 o'clock a. m., the Convention stood adjourned until Wednesday, April 21, 1920, at 10:00 o'clock a. m.

WEDNESDAY, APRIL 21, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. William E. Barton, of the First Congregational Church, of Oak Park.

The Journal of Thursday, April 15th, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

General Orders.

The Convention proceeding on the General Orders the President called Mr. Cruden to the chair.

And at the hour of 10:10 o'clock a. m., the Convention went into Committee of the Whole for the further consideration of Proposal No. 351.

At the hour of 1:02 o'clock p. m. the Convention resumed its session.

The President presiding.

Mr. Cruden, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

The Convention again proceeding on the Order of Reports of Standing Committees, Mr. Brandon submitted the following report:

Your Committee on Education to which was referred Proposals numbered 10, 24, 27, 35, 61, 99, 130, 131, 139, 182, 200, 214, 231, 235, 238, 255, 258, 271, 334, 337 reports the same back with a substitute therefor, being Proposal No. 359, a proposal to amend Article VIII of the Constitution of 1870, and recommends that the original proposals, above enumerated, be rejected, and that the substitute Proposal No. 359 be placed on the General Orders.

(Signed) Rodney H. Brandon,
Edward J. Corcoran,
W. H. Bechman,
Michael Iarussi,
Michael Rosenberg,
George A. Barr,
Wm. S. Gray,
H. M. Dunlap, except as to Sec. 4.
Committee.

The report of the committee was ordered printed, and to lie on the table.

Mr. Dunlap submitted the following minority report:

COMMITTEE ON EDUCATION MINORITY REPORT.

This minority report concurs in the report of the Committee on Education except as to section 4 thereof and recommends that said section 4 be rejected, and that the minority report, being Proposal No. 360, be substituted therefor.

H. M. DUNLAP.

The minority report of the committee was ordered printed and to lie on the table.

At the hour of 1:05 o'clock p. m., Mr. DeYoung moved that the Convention do now take a recess until 8:00 o'clock p. m.

And the motion prevailed.

8:00 O'CLOCK P. M.

The hour of 8:00 o'clock p. m. having arrived the Convention resumed its session.

The President presiding.

Mr. DeYoung moved that the Convention do now resolve itself into Committee of the Whole.

And the motion prevailed.

COMMITTEE OF THE WHOLE.

The President thereupon called Mr. DeYoung to the chair.

And at the hour of 8:02 o'clock p. m. the Convention went into Committee of the Whole for the purpose of further considering the various Proposals relating to or affecting the organization of the Judicial Department.

At the hour of 11:12 o'clock p. m. the Convention resumed its session.

The President presiding.

Mr. DeYoung, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

The report of the committee was concurred in.

And at the hour of 11:15 o'clock p. m., Mr. DeYoung moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

THURSDAY, APRIL 22, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. William E. Barton, of the First Congregational Church, of Oak Park.

The Journal of Friday, April 16th, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The President, as chairman, laid before the Convention the following report from the Committee on Rules and Procedure, to-wit:

Committee Report.

The following committees having made reports with committee proposals recommended by said committees, respectively:

Committee on Public Works and Improvements recommending Proposal No. 354.

Committee on Miscellaneous Subjects recommending Proposal No. 357.

Committee on Miscellaneous Subjects recommending Proposal No. 358.

Committee on Education presenting majority and minority reports with Proposals numbered 359 and 360, respectively.

And said reports and proposals having been, pursuant to the rules, ordered to lie upon the table and be printed.

Your Committee on Rules and Procedure recommends that the said committee reports and proposals be taken from the table and placed on the General Orders for consideration in the Committee of the Whole.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

General Orders.

The Convention proceeding on the General Orders the President called Mr. Cruden to the chair.

And at the hour of 10:15 o'clock a. m., the Convention went into Committee of the Whole for the further consideration of Proposal No. 351.

At the hour of 12:45 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Cruden, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

Mr. Davis moved that it be the sense of the Convention that Tuesday, Wednesday, Thursday and Friday of each week, from now on, be designated as the regular working days.

And the motion prevailed.

Mr. Davis moved that the Committee on Rules and Procedure be requested to present such suggestions as may be determined upon, regarding the correlation of committee meetings in conjunction with the sessions of the Convention.

And the motion prevailed.

At the hour of 1:00 o'clock p. m., Mr. Corcoran moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

FRIDAY, APRIL 23, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. William E. Barton, of the First Congregational Church, of Oak Park.

The Journal of Wednesday, April 21, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

General Orders.

The Convention proceeding on the General Orders, Mr. Lohman moved that the Convention do now resolve itself into the Committee of the Whole for the consideration of Proposal No. 354.

Upon the request of Mr. Lindly, chairman of the Committee on Public Works and Improvements, the President called Mr. Wilson to the chair.

And at the hour of 10:10 o'clock a. m., the Convention went into Committee of the Whole.

At the hour of 10:42 o'clock a. m., the Convention resumed its session.

The President presiding.

Mr. Wilson, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

The report of the committee was concurred in.

And at the hour of 10:45 o'clock a. m., Mr. Green moved that the Convention do now adjourn until Tuesday, April 27, 1920, at 10:00

The motion prevailed.

And the Convention stood adjourned.

TUESDAY, APRIL 27, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. E. G. Sandmeyer, of the First Methodist Episcopal Church, of Charleston.

The Journal of Thursday, April 22, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The President, as chairman, laid before the Convention the following report from the Committee on Rules and Procedure, to-wit:

Committee Report.

The Committee on Rules and Procedure reports that pursuant to the motion adopted at the session on April 22, 1920, requesting the Committee on Rules and Procedure to present such suggestions as may be determined upon regarding the co-relation of committee meetings, the Committee on Rules and Procedure is of opinion that it is neither feasible nor wise for the Convention to undertake to fix times of committee meetings. However, the Committee on Rules and Procedure has made an examination of the personnel of the respective committees with a view to suggesting a schedule of committee meetings which will avoid conflicts so far as may be. The Committee on Rules and Procedure now recommends to the chairmen of the following committees that so far as practicable they call their committee meetings in accordance with schedule given, for the week of April 27, 1920:

Tuesday:

Judicial	2:00 p. m.
County and Township	2:00 p. m.
Industrial Affairs	2:00 p. m.
Distinction	2:00 p. m.
Legislative	4:00 p. m.
Municipal	4:00 p. m.
Corporations	7:30 p. m.
Future Amendment	7:30 p. m.
Chicago and Cook County	7:30 p. m.

Wednesday:

Executive	2:00 p. m.
Miscellaneous Subjects	2:00 p. m.
Revenue	4:00 p. m.
Distinction	4:00 p. m.
Bill of Rights	7:30 p. m.
I. and R.	7:30 p. m.
Agriculture	7:30 p. m.

Thursday:

Judicial	2:00 p. m.
Revenue	2:00 p. m.
County and Township	2:00 p. m.
Chicago	4:00 p. m.
Future Amendment	4:00 p. m.
Miscellaneous Subjects	4:00 p. m.
Agriculture	4:00 p. m.
Legislative	7:30 p. m.
Distinction	7:30 p. m.
Executive	7:30 p. m.
Municipal	7:30 p. m.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

Mr. Paddock presented a petition from citizens of Loami Township relating to the classification of property under the new Constitution, which was referred to the Committee on Revenue, Taxation and Finance.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Cruden to the chair.

And at the hour of 10:10 o'clock a. m., the Convention went into Committee of the Whole for the further consideration of Proposal No. 351.

At the hour of 12:32 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Cruden, from the Committee of the Whole, reported that the committee had had under consideration section 8 of Proposal No. 351, and recommended that said section 8, together with the pending Amendment No. 13 and the substitute therefor, be recommitted to the Committee on Suffrage and that the Committee of the Whole be granted leave to sit again.

The report of the committee was concurred in and it was so ordered.

At the hour of 12:35 o'clock p. m., Mr. Corcoran moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

WEDNESDAY, APRIL 28, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. E. G. Sandmeyer, of the First Methodist Episcopal Church, of Charleston.

The Journal of Friday, April 23, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The President, as chairman, laid before the Convention the following report from the Committee on Rules and Procedure, to-wit:

Committee Report.

Your Committee on Rules and Procedure in furtherance of the action of this Convention diligently to pursue the consideration of committee reports in Committee of the Whole, recommends that the report of the Committee on Education be considered immediately upon the conclusion of the debate on the pending report of the Committee on Public Works and Improvements, and that the sessions of the Convention on Thursday and Friday of this week be devoted to that work.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Wilson to the chair.

And at the hour of 10:10 o'clock a. m., the Convention went into Committee of the Whole for the further consideration of Proposal No. 354.

At the hour of 12:57 p. m., the Convention resumed its session.

The President presiding.

Mr. Wilson, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

The report of the committee was concurred in.

And at the hour of 1:00 o'clock p. m., Mr. Green moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

THURSDAY, APRIL 29, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. E. G. Sandmeyer, of the First Methodist Episcopal Church, of Charleston.

The Journal of Tuesday, April 27, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The Convention proceeding on the order of Reports of Standing Committees.

Mr. Dunlap submitted the following report:

To the Honorable, the Delegates of the Constitutional Convention:

Your Committee on Agriculture having given due consideration to the problem of land credits in the State of Illinois, reports a proposal, being Proposal No. 361, a proposal in relation to land credits, and recommends that said Proposal No. 361 be placed on the General Orders.

H. M. DUNLAP,
WM. S. GRAY,
LAWRENCE C. JOHNSON,
GUY L. SHAW,
J. MACK TANNER,
SYLVESTER J. GEE,
CHAS. V. PARKER,
ALVIN WARREN,
WILLIAM STEWART,
F. R. DOVE,
WM. H. CRUDEN,
H. W. MEINERT,
Committee.

The report of the committee was ordered printed and to lie on the table.

Mr. Brandon, from the Committee on Education, presented a statement to accompany the committee report heretofore made on April 21, which was received and ordered incorporated in the Convention debates.

Mr. Moore presented a petition from citizens of Hartsburg, relating to the reading of the Bible in the public schools, which was referred to the Committee on Bill of Rights.

GENERAL ORDERS.

The Convention proceeding on the General Orders, the President called Mr. Wilson to the chair.

And at the hour of 10:20 o'clock a. m., the Convention went into Committee of the Whole for the further consideration of Proposal No. 354.

At the hour of 1:02 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Wilson, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

At the hour of 1:05 o'clock p. m., Mr. Trautmann moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

FRIDAY, APRIL 30, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. E. G. Sandmeyer, of the First Methodist Episcopal Church, of Charleston.

The Journal of Wednesday, April 28, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The Convention proceeding on the order of Reports of Standing Committees.

Mr. Dietz submitted the following report:

Your Committee on Distinction Between Constitutional and Legislative Subjects to which were referred Proposal number fifteen (15) entitled, "A Proposal to retain in the new Constitution the article on warehouses in the present Constitution," and Proposal number one hundred sixty-six (166) entitled, "A Proposal to repeal Article XIII of the Constitution of 1870," reports that it is the opinion of the members of the committee that the said Proposals relate to a constitutional subject.

Therefore, in as much as your committee is without authority to consider these Proposals upon their merits, the committee recommends that the said Proposals be referred to the proper committee for consideration upon the merits.

Respectfully submitted,

(Signed) CYRUS E. DIETZ,
D. E. MACK,
WILLARD M. MCEWEN,
E. H. BREWSTER,
JOHN L. DRYER,
EDWARD M. CORLETT,
Committee.

The report of the committee was ordered printed and to lie on the table.

Your Committee on Distinction Between Constitutional and Legislative Subjects, to which was referred Proposal number twenty-three (23) entitled, "A Proposal to Declare Certain Acts by Public Officers, sedition," reports that it is the opinion of the members of the committee that the said Proposal is a constitutional subject.

Therefore, as your committee is without authority to consider said Proposal, upon its merits, the committee recommends that said Proposal be referred to the proper committee, for consideration of said Proposal upon its merits.

Respectfully submitted,

(Signed) CYRUS E. DIETZ,
D. E. MACK,
WILLARD M. MCEWEN,
E. H. BREWSTER,
JOHN L. DRYER,
EDWARD M. CORLETT,
Committee.

The report of the committee was ordered printed and to lie on the table.

Your Committee on Distinction Between Constitutional and Legislative Subjects, to which was referred Proposal number two hundred and eleven (211) entitled, "A Proposal to Provide Employment Control and for the Classification of Certain Positions in the Public Service," reports that it is the opinion of the members of the committee that the said Proposal is a constitutional subject.

Therefore, as your committee is without authority to consider said Proposal, upon its merits, the committee recommends that said Proposal be referred to the proper committee, for consideration of said Proposal upon its merits.

Respectfully submitted, (Signed) CYRUS E. DIETZ,
D. E. MACK,
WILLARD M. MCEWEN,
E. H. BREWSTER,
JOHN L. DRYER,
EDWARD M. CORLETT,
Committee.

The report of the committee was ordered printed and to lie on the table.

Your Committee on Distinction Between Constitutional and Legislative Subjects, to which Proposal No. 282 entitled, "A Proposal to Provide for the Removal of Snow and Ice from Sidewalks" was referred, reports that upon consideration of the Proposal and the authorities, which control the question involved, it is the opinion of the members of the committee that the Proposal is a constitutional subject.

Therefore, as your committee is without authority to consider the Proposal, upon its merits, the committee recommends that the Proposal be referred to the proper committee for consideration of the Proposal upon its merits.

Respectfully submitted,

(Signed) CYRUS E. DIETZ,
D. E. MACK,
WILLARD M. MCEWEN,
JOHN L. DRYER,
E. H. BREWSTER,
EDWARD M. CORLETT,
Committee.

The report of the committee was ordered printed and to lie on the table.

Your Committee on Distinction Between Constitutional and Legislative Subjects, to which was referred Proposal number two hundred and eighty-four (284) entitled, "A Proposal for the Issuance of Bonds by the State or Municipalities to Encourage the Building of Homes and Buying of Lands by Citizens of the State," reports that it is the opinion of the members of the committee that the said Proposal is a constitutional subject.

Therefore, as your committee is without authority to consider said Proposal, upon its merits, the committee recommends that said Proposal be referred to the proper committee for consideration of said Proposal upon its merits.

Respectfully submitted,

(Signed) CYRUS E. DIETZ,
D. E. MACK,
WILLARD M. MCEWEN,
E. H. BREWSTER,
JOHN L. DRYER,
EDWARD M. CORLETT,
Committee.

The report of the committee was ordered printed and to lie on the table.

Your Committee on Distinction Between Constitutional and Legislative Subjects, to which was referred Proposal number seventy-three (73) entitled, "A Proposal Defining Intoxicating Liquors and Beverages," reports that it is the opinion of the members of the committee that said Proposal is a legislative and not a constitutional subject.

Therefore, your committee recommends that the said Proposal do not become a part of the proposed Constitution.

Respectfully submitted,

(Signed) CYRUS E. DIETZ,
D. E. MACK,
WILLARD M. MCEWEN,
E. H. BREWSTER,
JOHN L. DRYER,
EDWARD M. CORLETT,
Committee.

The report of the committee was ordered printed and to lie on the table.

Your Committee on Distinction Between Constitutional and Legislative Subjects, to which was referred Proposal number seventy-four (74) entitled, "A Proposal Granting Power and Authority to Municipalities to License and Regulate Boxing Contests," reports that it is the opinion of the members of the committee that said Proposal is a legislative and not a constitutional subject.

Therefore, your committee recommends that the said Proposal do not become a part of the proposed Constitution.

Respectfully submitted,

(Signed) CYRUS E. DIETZ,
D. E. MACK,
WILLARD M. MCEWEN,
E. H. BREWSTER,
JOHN L. DRYER,
EDWARD M. CORLETT,
Committee.

The report of the committee was ordered printed and to lie on the table.

Your Committee on Distinction Between Constitutional and Legislative Subjects, to which was referred Proposal number seventy-five (75) entitled, "Prohibiting Professional Wrestling Exhibitions," reports that it is the opinion of the members of the committee that said Proposal is a legislative and not a constitutional subject.

Therefore, your committee recommends that the said Proposal do not become a part of the proposed Constitution.

Respectfully submitted,

(Signed) CYRUS E. DIETZ,
D. E. MACK,
WILLARD M. MCEWEN,
E. H. BREWSTER,
JOHN L. DRYER,
EDWARD M. CORLETT,
Committee.

The report of the committee was ordered printed and to lie on the table.

Your Committee on Distinction Between Constitutional and Legislative Subjects, to which was referred Proposal number seventy-seven (77) entitled, "For the Manufacture, Sale and Distribution of Beers," reports that it is the

opinion of the members of the committee that said Proposal is a legislative and not a constitutional subject.

Therefore, your committee recommends that the said Proposal do not become a part of the proposed Constitution.

Respectfully submitted,

(Signed) CYRUS E. DIETZ,
D. E. MACK,
E. H. BREWSTER,
JOHN L. DRYER,
EDWARD M. CORLETT,
Committee.

The report of the committee was ordered printed and to lie on the table.

Your Committee on Distinction Between Constitutional and Legislative Subjects, to which was referred Proposal number ninety-eight (98) entitled, "In Relation to Athletic Exhibitions," reports that it is the opinion of the members of the committee that said Proposal is a legislative and not a constitutional subject.

Therefore, your committee recommends that the said Proposal do not become a part of the proposed Constitution.

Respectfully submitted,

(Signed) CYRUS E. DIETZ,
D. E. MACK,
WILLARD M. MCEWEN,
E. H. BREWSTER,
JOHN L. DRYER,
EDWARD M. CORLETT,
Committee.

The report of the committee was ordered printed and to lie on the table.

Your Committee on Distinction Between Constitutional and Legislative Subjects, to which was referred Proposal number one hundred and forty-eight (148) entitled, "To Prevent Monopolies," reports that it is the opinion of the members of the committee that said Proposal is a legislative and not a constitutional subject.

Therefore, your committee recommends that the said Proposal do not become a part of the proposed Constitution.

Respectfully submitted,

(Signed) CYRUS E. DIETZ,
D. E. MACK,
WILLARD M. MCEWEN,
E. H. BREWSTER,
JOHN L. DRYER,
EDWARD M. CORLETT,
Committee.

The report of the committee was ordered printed and to lie on the table.

Your Committee on Distinction Between Constitutional and Legislative Subjects, to which was referred Proposal number one hundred and fifty-seven (157) entitled, "Relative to the Charters of Benevolent and Fraternal Organizations, including those heretofore organized and those to be organized in the future," reports that it is the opinion of the members of the committee that said Proposal is a legislative and not a constitutional subject.

Therefore, your committee recommends that the said Proposal do not become a part of the proposed Constitution.

Respectfully submitted,

(Signed) CYRUS E. DIETZ,
D. E. MACK,
WILLARD M. MCEWEN,
E. H. BREWSTER,
JOHN L. DRYER,
EDWARD M. CORLETT,
Committee.

The report of the committee was ordered printed and to lie on the table.

Your Committee on Distinction Between Constitutional and Legislative Subjects, to which was referred Proposal number one hundred and eighty-six (186) entitled, "A Proposal to embody in the article of the new Constitution in relation to taxation the following provision imposing the duty on the owners of property to list the same for taxation and providing remedies for failure to do so," reports that it is the opinion of the members of the committee that said Proposal is a legislative and not a constitutional subject.

Therefore your committee recommends that the said Proposal do not become a part of the proposed Constitution.

Respectfully submitted,

(Signed) CYRUS E. DIETZ,
D. E. MACK,
WILLARD M. MCEWEN,
E. H. BREWSTER,
JOHN L. DRYER,
EDWARD M. CORLETT,
Committee.

The report of the committee was ordered printed and to lie on the table.

Your Committee on Distinction Between Constitutional and Legislative Subjects, to which was referred Proposal number two hundred and two (202) entitled, "A Proposal for the manufacture, distribution, transportation or sale of beverage," reports that it is the opinion of the members of the committee that said proposal is a legislative and not a constitutional subject.

Therefore, your committee recommends that the said Proposal do not become a part of the proposed Constitution.

Respectfully submitted,

(Signed) CYRUS E. DIETZ,
D. E. MACK,
WILLARD M. MCEWEN,
E. H. BREWSTER,
JOHN L. DRYER,
EDWARD M. CORLETT,
Committee.

The report of the committee was ordered printed and to lie on the table.

Your Committee on Distinction Between Constitutional and Legislative Subjects, to which was referred Proposal number two hundred and twenty-four (224) entitled, "A Proposal to prohibit options in purchase and sale of commodities and dealing in stocks by margins, or in lottery," reports that it is the opinion of the members of the committee that said Proposal is a legislative and not a constitutional subject.

Therefore, your committee recommends that the said Proposal do not become a part of the proposed Constitution.

Respectfully submitted,

(Signed) CYRUS E. DIETZ,
D. E. MACK,
WILLARD M. MCEWEN,
E. H. BREWSTER,
JOHN L. DRYER,
EDWARD M. CORLETT,
Committee.

The report of the committee was ordered printed and to lie on the table.

Your Committee on Distinction Between Constitutional and Legislative Subjects, to which was referred Proposal number two hundred and eighty-eight (288) entitled, "A Proposal to prohibit persons or corporations from entering into agreement to fix or establish the purchasing price or selling price of food commodities," reports that it is the opinion of the members of the committee that said Proposal is a legislative and not a constitutional subject.

Therefore, your committee recommends that the said Proposal do not become a part of the proposed Constitution.

Respectfully submitted,

(Signed) CYRUS E. DIETZ,
D. E. MACK,
WILLARD M. MCEWEN,
E. H. BREWSTER,
JOHN L. DRYER,
EDWARD M. CORLETT,
Committee.

The report of the committee was ordered printed and to lie on the table.

Mr. Wolff submitted the following report:

The Committee on Qualifications and Election of Delegates, to whom was referred the matter of the complaint of Robert Emmet Burke concerning the election held in the 31st Senatorial District, would respectfully report that they convened and that due notice was sent to Mr. William H. Beckman and Mr. Eugene H. Dupee, delegates heretofore seated as delegates of this Convention upon their taking the oath of office as such delegates, and to Mr. Robert Emmet Burke, of a hearing before the committee, to be held on March 3, 1920, at 2 p. m., in the committee room of this committee in the Capitol Building, city of Springfield, on the said complaint; that the complainant, Robert Emmet Burke did not attend upon such notice; that a hearing was had wherein it appeared that on the holding of the said election the candidates received the votes, respectively, following:

William H. Beckman	9,141
Eugene H. Dupee	8,576
Donald L. Merrill	4,654
James F. Burns	4,487
Robert Norburg	1,350
Robert E. Burke	2,452
John Vogel	1,404

and that Certificates of Election were duly issued to William H. Beckman and Eugene H. Dupee, respectively, and that Commissions signed by the Governor under the great seal of State were likewise afterwards issued to them, and that they appeared before the Convention and took the oath of office and were duly enrolled; that no evidence was adduced before the committee of any irregularity, fraud or error in the holding of said election, and they, therefore, report that the said complaint has no foundation, and that the same should stand dismissed, and the action of the Convention heretofore in

seating said William H. Beckman and Eugene H. Dupee should be final and undisturbed.

Respectfully submitted,

(Signed) Oscar Wolff,
Joseph W. Fifer,
Michael Rosenberg,
Willard M. McEwen,
George C. Gale,
Guy L. Shaw,
Committee.

And the question being on the adoption of the report of the committee.

It was decided in the affirmative by a unanimous vote.

The Convention having reached the General Orders, Mr. Lindly raised the point of no quorum and thereupon a call of the Convention was had resulting as follows: Present, 48.

Answering present: Messrs.

Barr	Dawes	Goodyear	Lindly	Smith
Brenholt	Dietz	Green	Mills	Sutherland
Brewster	Dove	Hamill	Morris	Taff
Carlstrom	Dunlap	Hull	Nichols	Torrance
Chew	Elting	Ireland	Rinaker	Wall
Clarke	Fifer	Johnson, L. C.	Scanlan	Whitman
Coolley	Fyke	Johnson, W. A.	Shanahan	Wilson
Corcoran	Gale	Kerrick	Shaw	Wolff
Corlett	Garrett	Latchford	Shuey	Mr. President
Davis	Gilbert	Lill		Present—48.

The President announced that the roll showed less than a quorum present.

Whereupon Mr. Shanahan moved that the Convention do now adjourn until Tuesday, May 4, 1920.

The motion prevailed.

And at the hour of 10:15 o'clock a. m., the Convention stood adjourned.

TUESDAY, MAY 4, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. E. C. Lumsden, of the First Methodist Episcopal Church, of Dixon.

The Journal of Thursday, April 29, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Wilson to the chair.

And at the hour of 10:20 o'clock a. m., the Convention went into Committee of the Whole for the further consideration of Proposal No. 354.

At the hour of 12:32 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Wilson, from the Committee of the Whole, reported that the Committee had had under consideration Proposal No. 354 and recommended that said Proposal, as amended in Committee of the Whole, together with the substitute therefor, offered by Mr. Corlett, and the entire subject matter therein referred to be recommitted to the Committee on Public Works and Improvements.

The report of the Committee was concurred in.

And it was so ordered.

At the hour of 12:35 o'clock p. m., Mr. Green moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

WEDNESDAY, MAY 5, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. E. C. Lumsden, of the First Methodist Episcopal Church, of Dixon.

The Journal of Friday, April 30th, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The President, as chairman, laid before the Convention the following report from the Committee on Rules and Procedure, to-wit:

Committee Report.

Your Committee on Rules and Procedure respectfully recommends that the Convention shall at 12:30 o'clock p. m., today, recess until 4:00 o'clock p. m., and that on Thursday, May 6th, the Convention shall meet at the hour of 9:00 o'clock a. m., and again at the hour of 4:00 o'clock p. m.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

The President, as chairman, laid before the Convention the further report from the Committee on Rules and Procedure, to-wit:

Committee Report.

Your Committee on Rules and Procedure respectfully reports as a Special Order for Thursday morning, May 6th, the consideration in Committee of the Whole of the reports of the Committee on Distinction Between Constitutional and Legislative Subjects, shown in the Journal of April 30th.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

Mr. Latchford called the attention of the Convention to the death of the mother of Delegate O'Brien and asked that he be excused from attendance at the Convention for the remainder of the week.

And the request was granted.

Mr. Revell moved that the Convention request its President to communicate to Delegate O'Brien its deep sympathy in his bereavement.

And the motion was unanimously adopted.

Mr. Carlstrom presented a petition from citizens of Viola, Illinois, relating to the reading of the Bible in the Public Schools, which was referred to the Committee on Bill of Rights.

General Orders.

The Convention proceeding on the General Orders the President called Mr. Brandon to the chair.

And at the hour of 10:15 o'clock a. m., the Convention went into Committee of the Whole for the purpose of considering the majority and minority reports of the Committee on Education, being Proposals numbered 359 and 360.

At the hour of 12:42 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Corcoran, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

At the hour of 12:45 o'clock p. m., Mr. Hamill moved that the Convention do now take a recess until 4:00 o'clock p. m.

And the motion prevailed.

4:00 o'Clock P. M.

The hour of 4:00 o'clock p. m. having arrived the Convention resumed its session.

The President presiding.

General Orders.

The Convention again proceeding on the General Orders the President called Mr. Brandon to the chair.

And at the hour of 4:05 o'clock p. m., the Convention went into Committee of the Whole for the further consideration of the majority and minority reports of the Committee on Education.

At the hour of 6:22 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Brandon, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

Mr. Davis moved that further consideration of Proposals numbered 359 and 360 be made a Special Order in Committee of the Whole for tomorrow ahead of the other Special Orders set for that date.

And the motion prevailed.

At the hour of 6:25 o'clock p. m., Mr. Hamill moved that the Convention do now adjourn until 9:00 o'clock a. m. tomorrow.

The motion prevailed.

And the Convention stood adjourned.

THURSDAY, MAY 6, 1920, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. E. C. Lumsden, of the First Methodist Episcopal Church, of Dixon.

The Journal of Tuesday, May 4, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

Mr. Rosenberg offered the following resolution and moved its adoption:

Resolution No. 27.

Whereas, On the 4th day of May, 1920, Almighty God in His infinite wisdom summoned to her final reward, after a lifetime filled with devotion to her family and kindness to all, Mrs. Bridgett O'Brien, beloved mother of Delegate Martin J. O'Brien of the nineteenth senatorial district; therefore be it,

Resolved, That we, the Delegates to the Constitutional Convention extend our heartfelt sympathy to our fellow member in his bereavement; and, be it further

Resolved, That this preamble and resolution be spread on the records of the Convention and that a suitably engrossed copy of the same be presented to Hon. Martin J. O'Brien.

The resolution was unanimously adopted by a rising vote.

Mr. Green moved that when the Convention adjourns today it stand adjourned until Tuesday, May 11, 1920, at 10:00 o'clock a. m.

And the motion prevailed.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Brandon to the chair.

And at the hour of 10:20 o'clock a. m., the Convention went into Committee of the Whole for the further consideration of the majority and minority reports of the Committee on Education.

At the hour of 1:07 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Brandon, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

At the hour of 1:10 o'clock p. m., Mr. Hamill moved that the Convention do now take a recess until 4:00 o'clock p. m.

And the motion prevailed.

4:00 o'Clock P. M.

The hour of 4:00 o'clock p. m. having arrived, the Convention resumed its session.

The President presiding.

General Orders.

The Convention again proceeding on the General Orders, the President called Mr. Brandon to the chair.

And at the hour of 4:02 o'clock p. m., the Convention went into Committee of the Whole for the further consideration of the majority and minority reports of the Committee on Education.

At the hour of 6:57 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Brandon, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

Mr. Gale moved that the Convention do now take a recess until 8:00 o'clock p. m.

And the motion was lost.

At the hour of 7:00 o'clock p. m., Mr. Brenholt moved that the Convention do now adjourn.

The motion prevailed.

And in accordance with the motion heretofore adopted, the Convention stood adjourned until Tuesday, May 11, 1920, at 10:00 o'clock a. m.

TUESDAY, MAY 11, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. S. A. Matthews, of the Grace Methodist Episcopal Church, of Mound City.

The Journal of Wednesday, May 5th, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Brandon to the chair.

And at the hour of 10:10 o'clock a. m., the Convention went into Committee of the Whole for the further consideration of Proposal No. 359.

At the hour of 12:17 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Brandon, from the Committee of the Whole, having had under consideration Proposals numbered 359 and 360, being the majority and minority reports of the Committee on Education, reported Proposal No. 359 back, together with the following amendments thereto, to-wit:

Amend Section 1 by striking out in lines 4, 5, and 6 the words: "The General Assembly shall also provide for the care and education of dependent, defective, delinquent and other children requiring special consideration."

Amend Section 4 by substituting the following:

Sec. 4. Neither the General Assembly nor any county, city, town, township, school district or other public corporation shall ever make any appropriation or pay from any public fund whatever, anything to any church or for any sectarian purpose, or to any school, academy, seminary, college, university or other literary or scientific institution controlled by any church or sectarian denomination whatever, otherwise than through the power of eminent domain; nor shall any grant or donation of land, money or other personal property ever be made by the State, or any such public corporation to any church or for any sectarian purpose. This section shall not apply to any institution which has, within two years, prior to January 1, 1920, received public funds for services rendered, until fifteen years after the adoption of this Constitution.

Amend by inserting a section to be known as Section 2, to read as follows:

Sec. 2. "The General Assembly shall make adequate provision for the maintenance and development of the University of Illinois."

And recommended that the Proposal, as amended, do pass.

The report of the committee was concurred in and the Proposal was referred to the Committee on Phraseology and Style.

Mr. Lindly presented petitions from citizens of Greenville, Illinois, relative to the reading of the Bible in the public schools, which was referred to the Committee on Bill of Rights.

At the hour of 12:30 o'clock p. m., Mr. Trautmann moved that the Convention do now adjourn until 9:30 o'clock a. m., tomorrow.

Whereupon Mr. L. C. Johnson moved to amend by making the hour 9:00 o'clock a. m. instead of 9:30 o'clock a. m.

And the amendment was adopted.

The question then being on the motion of Mr. Trautmann, as amended, it was decided in the affirmative.

And the Convention stood adjourned until 9:00 o'clock a. m., tomorrow.

WEDNESDAY, MAY 12, 1920, 9:00 O' CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. S. A. Matthews, of the Grace Methodist Episcopal Church, of Mound City.

The Journal of Thursday, May 6, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The Convention proceeding on the Order of Reports of Standing Committees.

Mr. Smith submitted the following report:

Your Committee on County and Township Government to which was referred Proposals numbered 12, 41, 45, 52, 59, 60, 64, 65, 83, 95, 125, 126, 127, 145, 150, 158, 162, 175, 176, 177, 179, 180, 187, 212, 223, 233, 290, 303, 309, 310, 323, also Article 10 except sections 7 and 13, of the Constitution of 1870, reports the same back with a substitute therefor, being Proposal No. 362, a Proposal entitled "Counties," and recommends that the original Proposals, above enumerated, except section 9, Article 10, of the Constitution of 1870, be rejected, and that the substitute Proposal No. 362, be placed on the General Orders.

(Signed) A. M. Smith,
F. R. Dove,
S. W. McGuire,
Herbert F. Lill,
A. E. Taff,
George W. Hogan,
Lewis A. Jarman,
William S. Gray,
James Nichols,
Martin J. O'Brien,
Wm. Ganschow.
Committee.

The report of the committee was ordered printed and to lie on the table.

Mr. Jarman submitted the following minority report:

This minority report concurs in the report of the Committee on County and Township Government, except as to Section 6 thereof, and recommends that said Section 6 be rejected and that the minority report, being Proposal No. 363, be substituted therefor.

Respectfully submitted,

L. A. Jarman,
Member Committee on County and Township Government.

The minority report of the committee was ordered printed and to lie on the table.

Mr. Stewart offered the following resolution and moved its adoption:

Resolution No. 28.

Resolved, That Rule 29 of the Rules of this Convention be amended by adding the following:

"No delegate shall speak to exceed 10 minutes on any one question except that the proponent of any question shall be entitled to speak 15 minutes in favor of such question and shall have five minutes in which to close the debate thereon."

Pending consideration, Mr. Goodyear moved that the resolution be referred to the Committee on Rules and Procedure.

The motion prevailed.

And it was so ordered.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Dietz to the chair.

And at the hour of 9:25 o'clock a. m., the Convention went into Committee of the Whole for the purpose of considering the several reports from the Committee on Distinction Between Constitutional and Legislative Subjects.

At the hour of 11:12 a. m., the Convention resumed its session.

The President presiding.

Mr. O'Brien, from the Committee of the Whole, having had under consideration Proposals numbered 357 and 358, reported the same back and recommended that they do pass.

The report of the committee was concurred in and Proposals numbered 357 and 358 were referred to the Committee on Phraseology and Style.

Mr. Corlett, from the Committee of the Whole, having had under consideration the several reports from the Committee on Distinction Between Constitutional and Legislative Subjects, reported that the Committee of the Whole had considered separately each report from the Committee on Distinction Between Constitutional and Legislative Subjects and recommended that the report on Proposals numbered 15 and 166 be adopted.

The question being on the adoption of the report of the Committee of the Whole.

It was decided in the affirmative.

Mr. Corlett further reported that the Committee of the Whole recommended that the report on Proposal No. 23 be adopted.

The question being on the adoption of the report of the Committee of the Whole.

It was decided in the affirmative.

Mr. Corlett further reported that the Committee of the Whole recommended that the report on Proposal No. 211 be adopted.

The question being on the adoption of the report of the Committee of the Whole.

It was decided in the affirmative.

Mr. Corlett further reported that the Committee of the Whole recommended that the report on Proposal No. 282 be adopted.

The question being on the adoption of the report of the Committee of the Whole.

It was decided in the affirmative.

Mr. Corlett further reported that the Committee of the Whole recommended that the report on Proposal No. 284 be adopted.

The question being on the adoption of the report of the Committee of the Whole.

It was decided in the affirmative.

Mr. Corlett further reported that the Committee of the Whole recommended that the report on Proposal No. 73 be adopted.

The question being on the adoption of the report of the Committee of the Whole.

It was decided in the affirmative.

Mr. Corlett further reported that the Committee of the Whole recommended that the report on Proposal No. 74 be adopted.

The question being on the adoption of the report of the Committee of the Whole, on demand of five delegates a call of the roll was had, resulting as follows: Yeas, 59; nays, 17.

Those voting in the affirmative are: Messrs.

Barr	Dryer	Ireland	Miller	Sutherland
Brandon	Dunlap	Jack	Mills	Taff
Brewster	Dupuy, G. A.	Jarman	Moore	Tanner
Carlstrom	Elting	Johnson, L. C.	Nichols	Todd
Chew	Gale	Johnson, W. A.	Paddock	Torrance
Clarke	Garrett	Kerrick	Parker	Wall
Coolley	Gilbert	Lill	Revell	Warren
Corlett	Goodyear	Lindly	Rinaker	Whitman
Cruden	Gray	Mack	Shaw	Wilson
Davis	Hogan	McGuire	Shuey	Woodward
De Young	Hollenbeck	Meinert	Six	Mr. President
Dove	Hull	Mighell	Stewart	Yeas—59.

Those voting in the negative are: Messrs.

Brenholt	Fyke	Latchford	Michal	Pincus
Corcoran	Gee	Lohman	Morris	Scanlan
Dawes	Iarussi	Michaelson	O'Brien	Traeger
Dupee, E. H.	Kunde			Nays—17.

And the report of the Committee of the Whole was adopted.

Mr. Corlett further reported that the Committee of the Whole recommended that the report on Proposal No. 75 be adopted.

The question being on the adoption of the report of the Committee of the Whole.

It was decided in the affirmative.

Mr. Corlett further reported that the Committee of the Whole recommended that the report on Proposal No. 77 be adopted.

The question being on the adoption of the report of the Committee of the Whole.

It was decided in the affirmative.

Mr. Corlett further reported that the Committee of the Whole recommended that the report on Proposal No. 98 be adopted.

The question being on the adoption of the report of the Committee of the Whole.

It was decided in the affirmative.

Mr. Corlett further reported that the Committee of the Whole recommended that the report on Proposal No. 148 be adopted.

The question being on the adoption of the report of the Committee of the Whole.

It was decided in the affirmative.

Mr. Corlett further reported that the Committee of the Whole recommended that the report on Proposal No. 157 be adopted.

The question being on the adoption of the report of the Committee of the Whole.

It was decided in the affirmative.

Mr. Corlett further reported that the Committee of the Whole recommended that the report on Proposal No. 186 be adopted.

The question being on the adoption of the report of the Committee of the Whole.

It was decided in the affirmative.

Mr. Corlett further reported that the Committee of the Whole recommended that the report on Proposal No. 202 be adopted.

The question being on the adoption of the report of the Committee of the Whole.

It was decided in the affirmative.

Mr. Corlett further reported that the Committee of the Whole recommended that the Committee on Distinction Between Constitutional and Legislative Subjects be granted permission to withdraw its report on Proposal No. 224.

The question being on the adoption of the report of the Committee of the Whole.

It was decided in the affirmative.

Mr. Corlett further reported that the Committee of the Whole recommended that the report on Proposal No. 288 be adopted.

The question being on the adoption of the report of the Committee of the Whole, on demand of five delegates, a call of the roll was had, resulting as follows: Yeas, 60; nays, 19.

Those voting in the affirmative are: Messrs.

Barr	Dryer	Ireland	Miller	Stahl
Brandon	Dunlap	Jack	Mills	Stewart
Brewster	Dupuy, G. A.	Jarman	Nichols	Sutherland
Chew	Fifer	Johnson, L. C.	Paddock	Taff
Clarke	Fyke	Johnson, W. A.	Parker	Tanner
Coolley	Gale	Kerrick	Revell	Todd
Corlett	Garrett	Lill	Rinaker	Torrance
Cruden	Gilbert	Lindly	Shanahan	Wall
Davis	Goodyear	Mack	Shaw	Warren
Dawes	Gray	McGuire	Shuey	Whitman
De Young	Hollenbeck	Meinert	Six	Woodward
Dove	Hull	Mighell	Sneed	Mr. President

Yeas—60.

Those voting in the negative are: Messrs.

Brenholt	Gee	Latchford	Moore	Scanlan
Carlstrom	Hogan	Lohman	Morris	Smith
Corcoran	Iarussi	Michaelson	O'Brien	Traeger
Dupee, E. H.	Kunde	Michal	Pincus	

Nays—19.

And the report of the Committee of the Whole was adopted.

The Convention again proceeding on the Order of Reports of Standing Committees.

Mr. Cruden submitted the following report:

Your Committee on Suffrage, to which was re-committed Section No. 8 of Proposal No. 351, together with Amendment No. 13 and the substitute therefor relating thereto, reports as follows: The amendments by unanimous vote were laid upon the table. Upon reconsideration of the subject matter contained in the original Section No. 8 the committee by unanimous agreement made such changes as it deemed necessary, and reports it back to the Convention as Sections 8, 9 and 10, herewith appended, with the further recommendation that they be adopted.

Section 8. Regular and final elections to fill offices created by this Constitution, or which are or shall be established by law, shall be held on the first Tuesday after the first Monday of November in each year and at no other time. Special elections to fill vacancies in elective offices, except as otherwise provided in this Constitution, shall be held on the day of the regular election.

Section 9. When a vacancy shall happen in an elective office and the unexpired term is less than fifteen months, the appointing power shall fill such vacancy by appointment. When the unexpired term is fifteen months or more, such vacancy shall be filled at a special election to be held on the day of the first regular election occurring more than ninety days next ensuing such vacancy; but a temporary appointment may be made to expire upon the qualification of the person elected at such special election.

Section 10. All election days shall be legal holidays.

(Signed) WM. H. CRUDEN,
ANDREW H. MILLS,
JOHN E. TRAEGER,
HIRAM E. TODD,
GEO. F. LOHMAN,
WILL STEWART,
S. W. MCGUIRE,
Committee.

The report of the committee was ordered printed and to lie on the table.

Mr. Cruden moved that the report of the Committee on Suffrage be taken from the table and placed on the General Orders.

And the motion prevailed.

Mr. Fyke submitted the following report:

Your Committee on Corporations and Co-operative Associations, to which was referred Proposals numbered 13, 30, 49, 137, 155, 156, 157, 167, 168, 169, 170, 171, 172, 173, 174, 245, 256, 292, 312, 319; and Article 11, except Section 4, and separate Section 1, of the Constitution of 1870, reports the same back with a substitute therefore, being Proposal No. 364, a Proposal entitled "Corporations," and recommends that the original Proposals, above enumerated, be rejected, and that the substitute Proposal No. 364, be placed on the General Orders.

(Signed) EDGAR E. FYKE,
GEO. F. LOHMAN,
ERNEST KUNDE,
HIRAM E. TODD,
CHARLES J. MICHAL,
CHAS. V. PARKER,
JOHN J. BRENHOLT, JR.,
CHAS. H. IRELAND,
WM. H. BECKMAN,
ALVIN WARREN,
RUFUS C. DAWES,
Committee.

The report of the committee was ordered printed and to lie on the table.

Mr. Elting submitted the following minority report:

The undersigned, being a minority of the members of the Committee on Corporations and Co-operative Associations, herewith submit a minority report of the Committee on Corporations and Co-operative Associations, which does not concur in the majority report of said committee, submitted herein, and recommend that the said majority report of the Committee on Corporations and Co-operative Associations be rejected; and that this

minority report of said committee be substituted therefor and placed on the General Orders, said report being Proposal No. 365.

Respectfully submitted,

PHILIP E. ELTING,
Member of the Committee on Corporations and Co-operative Associations.

The report of the committee was ordered printed and to lie on the table.

By unanimous consent, Messrs. Hamill and Green were excused from attendance at the Convention for the day.

At the hour of 11:50 o'clock a. m., Mr. Corcoran moved that the Convention do now adjourn until 10:00 o'clock a. m. tomorrow.

Mr. Miller moved to amend by making the hour 9:00 o'clock a. m., instead of 10:00 o'clock a. m.

And the motion prevailed.

The question then being on the motion of Mr. Corcoran, as amended, it was decided in the affirmative.

And the Convention stood adjourned until 9:00 o'clock a. m. tomorrow.

THURSDAY, MAY 13, 1920, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. S. A. Matthews, of the Grace Methodist Episcopal Church, of Mound City.

The Journal of Tuesday, May 11, having been printed and placed on the desks of the delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The President, as chairman, laid before the Convention the following report from the Committee on Rules and Procedure, towit:

Committee Report.

Your Committee on Rules and Procedure respectfully recommends that the reports of the Committees on County and Township Government and on Corporations and Co-operative Associations be taken from the table and placed upon the General Orders and that they be respectively considered upon the conclusion of the debate on the pending supplemental report of the Committ on Suffrage.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

The Convention proceeding on the Order of Reports of Standing Committees.

Mr. Smith submitted the following report:

The Committee on County and Township Government respectfully returns to the Convention section nine (9) of Article X of the Constituiton with the request that it be re-referred to the Committee on Chicago and Cook County.

(Signed) A. M. Smith, *Chairman.*

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

The President, in conformity with the action of the Convention on yesterday in adopting the report of the Committee on Distinction Between Constitutional and Legislative Subjects, re-referred the several Proposals as follows:

Proposals numbered 15 and 166 to the Committee on Agriculture.

Proposal No. 23 to the Committee on Legislative Department.

Proposal No. 211 to the Committee on Legislative Department.

Proposal No. 282 to the Committee on Bill of Rights.

Proposal No. 284 to the Committee on Revenue, Taxation and Finance.

General Orders.

The Convention proceeding on the General Orders the President called Mr. Cruden to the chair.

And at the hour of 9:25 o'clock a. m. the Convention went into Committee of the Whole for the further consideration of Proposal No. 351.

At the hour of 1:32 o'clock p. m. the Convention resumed its session.

The President presiding.

Mr. Cruden, from the Committee of the Whole, having had under consideration Proposal No. 351, being the Suffrage Proposal, reported the same back together with the following amendments thereto, towit:

Amend section 6 by adding after the word "appointment" the following: "or who is unable to read and write the English language."

Amend Proposal No. 351 by striking out all of section 7 of the printed Proposal and substituting in lieu thereof the following:

Section 7. No idiot or person adjudged insane, or person convicted of any infamous crime, shall be entitled to the privilege of an elector, unless restored to civil rights.

Amend section 8 by substituting in lieu thereof the following:

Section 8. Except as otherwise provided by General Law concurred in by two-thirds of the members elected to each branch of the General Assembly, and passed after January 1, 1927, all regular final elections to fill offices created by this Constitution, or which are or may be established by law, shall be held on the first Tuesday after the first Monday in November in each year and at no other time. Special elections to fill vacancies in elective offices, except as otherwise provided in this Constitution, shall be held on the day of the regular election.

Amend Proposal No. 351, sections 9, 10 and 11 thereto as follows:

Section 9. When a vacancy shall happen in an elective office and the unexpired term is less than fifteen months, the appointing power shall fill such vacancy by appointment. When the unexpired term is fifteen months or more, such vacancy shall be filled at a special election to be held on the day of the first regular election occurring more than ninety days next ensuing such vacancy; but a temporary appointment may be made to expire upon the qualification of the person elected at such special election.

Section 10. All regular final election days shall be legal holidays.

Section 11. The General Assembly may pass laws conducive to the full exercise of the right of suffrage by all persons possessing such right.

And recommended that the Proposal, as amended, do pass.

The report of the committee was concurred in and the Proposal referred to the Committee on Phraseology and Style.

The Convention again proceeding on the Order of Reports of Standing Committees.

Mr. O'Brien submitted the following report:

Your Committee on Miscellaneous Subject, to which was referred Proposals Nos. 195, 314, 315, 342 and 333, beg leave to report the same back with recommendation that they be rejected.

Respectfully submitted,

(Signed) MARTIN J. O'BRIEN,
H. W. MEINERT,
RODNEY H. BRANDON,
E. B. COOLLEY,
WATTS A. JOHNSON,
WM. T. HOLLENBECK,
M. A. MICHAELSON,
HERBERT T. LILL,
Committee.

The report of the committee was ordered printed and to lie on the table.

At the hour of 1:35 o'clock p. m. Mr. Shanahan moved that the Convention do now adjourn until Tuesday, May 18, 1920, at 10:00 o'clock a. m.

The motion prevailed.

And the Convention stood adjourned.

TUESDAY, MAY 18, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

Mr. Shanahan, President pro tem, presiding.

Prayer was offered by the Rev. J. W. Ferris, of the First Methodist Episcopal Church, of Carthage.

The Journal of Wednesday, May 12th, having been printed and placed on the desks of the delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

General Orders.

The Convention proceeding on the General Orders, the President pro tem called Mr. Smith to the chair.

And at the hour of 10:10 o'clock a. m., the Convention went into Committee of the Whole for the purpose of considering the majority and minority reports of the Committee on County and Township Government, being Proposals numbered 362 and 363.

At the hour of 6:22 o'clock p. m., the Convention resumed its session.

Mr. Shanahan, President pro tem, presiding.

Mr. Smith, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

The report of the committee was concurred in.

And at the hour of 6:25 o'clock p. m., Mr. Brenholt moved that the Convention do now adjourn until 9:00 o'clock a. m., tomorrow.

The motion prevailed.

And the Convention stood adjourned.

WEDNESDAY, MAY 19, 1920, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. S. Willis McFadden, of the Westminster Presbyterian Church, of Springfield.

The Journal of Thursday, May 13th, having been printed and placed on the desks of the delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The Convention proceeding on the Order of Reports of Standing Committees:

Mr. Shanahan submitted the following report:

Your Committee on Legislative Department to which was referred Sections 1, 2, 3, 4, 5, 9, 10, 11, 12, 13, 14, 15, 16, 17, 18, 19, 20, 21, 22, 23, 24, 25, 27, 28, 30, 31, 32, 33 of Article 4, reports the same back in the form of a substitute, being Proposal No. 366, "A Proposal relative to the Legislative Department," and recommends that the original sections, above enumerated, as amended and reported herewith as Proposal No. 366, be placed on the General Orders.

(Signed) DAVID E. SHANAHAN,
JOHN E. TRAEGER,
GEO. P. LATCHFORD,
CICERO J. LINDLY,
JOSEPH W. FIFER,
MORTON D. HULL,
FRANK J. QUINN,
THOS. RINAKER,
JAMES H. PADDOCK,
EDWARD H. MORRIS,
H. M. DUNLAP,
GEORGE A. BARR,
LEE MIGHELL,
Committee.

The report of the committee was ordered printed and to lie on the table.

GENERAL ORDERS.

The Convention proceeding on the General Orders the President called Mr. Smith to the chair.

And at the hour of 9:20 o'clock a. m., the Convention went into Committee of the Whole for the further consideration of the majority and minority reports of the Committee on County and Township Government, being Proposals numbered 362 and 363.

At the hour of 6:27 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Smith, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

The Convention again proceeding on the Order of Reports of Standing Committees.

The President, as chairman, laid before the Convention the following report from the Committee on Rules and Procedure, to-wit:

COMMITTEE REPORT.

The Committee on Miscellaneous Subjects, having filed its report recommending that Proposals numbered 195, 314, 315, 342, and 333 be rejected, and said report having been ordered to lie on the table and be printed.

Your Committee on Rules and Procedure recommends that said report of the Committee on Miscellaneous Subjects be taken from the table and placed on the General Orders.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

The President, as chairman, laid before the Convention the further report from the Committee on Rules and Procedure, to-wit:

COMMITTEE REPORT.

Your Committee on Rules and Procedure recommends that Proposal No. 366, reported by the Committee on Legislative Department, be taken from the table and placed on the General Orders.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

At the hour of 6:30 o'clock p. m., Mr. Shanahan moved that the Convention do now adjourn until 9:00 o'clock a. m., tomorrow.

The motion prevailed.

And the Convention stood adjourned.

THURSDAY, MAY 20, 1920, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. J. W. Ferris, of the First Methodist Episcopal Church, of Carthage.

The Journal of Tuesday, May 18th, having been printed and placed on the desks of the delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The Convention proceeding on the Order of Reports of Standing Committees.

Mr. Dove submitted the following majority report:

Your Committee on Initiative, Referendum and Recall to which was referred Proposals numbered 133, 209, 230, 313, and 318, reports the same back with a substitute therefor, being Proposal No. 367, a Proposal providing for a legislative Initiative and Referendum, hereto attached, and recommends that the original Proposals, above enumerated, be rejected, and that the substitute Proposal No. 367 be placed on the General Orders.

(Signed) OSCAR E. CARLSTROM,
E. D. POTTS,
ERNEST KUNDE,
JAMES D. JACK,

(signed for purpose of bringing the subject before the Convention for consideration),

GEO. P. LATCHFORD,
THOMAS F. FROLE,
OSCAR WOLFF,
EDWARD J. CORCORAN,

(signed for purpose of getting on the floor and reserving the right to introduce minority report),

Committee.

The report of the committee was ordered printed and to lie on the table.

Mr. Dove submitted the following minority report:

A minority of your Committee on Initiative, Referendum and Recall, recommends that no Proposal or provision for the Initiative, Referendum and Recall be incorporated in the Constitution of 1920.

(Signed) A. H. MILLS,
T. C. KERRICK,
S. W. MCGUIRE,
A. E. TAFF,
A. F. GOODYEAR,
GEO. A. DUPUY,
F. R. DOVE,

Committee.

The minority report was ordered printed and to lie on the table.

Mr. Corcoran, from the Committee on Initiative, Referendum and Recall, submitted a further minority report, being Proposal No. 368, and recommended that it be placed on the General Orders.

The minority report was ordered printed and to lie on the table.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Smith to the chair.

And at the hour of 9:35 o'clock a. m., the Convention went into Committee of the Whole for the further consideration of Proposal No. 362.

At the hour of 3:33 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Smith, from the Committee of the Whole, having had under consideration Proposals numbered 362 and 363, being the majority and minority reports of the Committee on County and Township Government, reported Proposal No. 362 back, together with the following amendments thereto, to-wit:

Amend section 2 by striking out the first four lines and substituting in lieu thereof the following:

Section 2. No county shall be divided nor any territory be added to, or taken from any county, unless such question shall be submitted to a vote of the people of each county affected and a majority of the electors of each county affected voting on the question shall vote for the same.

Amend section 6 by substituting in lieu thereof the following:

Section 6. In each county there shall be elected the following county officers, at the general election to be held on the Tuesday after the first Monday in November, 1922, and every four years thereafter: a County Clerk, who shall also be Clerk of the County Court; a County Treasurer, who shall be ex-officio Collector of Taxes, and a Sheriff; and at the general election to be held on the Tuesday after the first Monday in November, 1924, and every four years thereafter: a Coroner; a Clerk of the Circuit Court, who shall be ex-officio recorder of deeds in counties having less than 60,000 inhabitants, and a recorder of deeds in counties having 60,000 and more inhabitants. There shall also be a County Assessor, who shall be selected as the General Assembly may direct. Provided, that no person having once been elected to the office of Treasurer shall be eligible to said office for four years after the expiration of the term for which he shall have been elected.

Amend section 8 by inserting in line 2, after the word "laws" the words "uniform as to classes of counties."

Amend section 12 by substituting in lieu thereof the following:

Section 12. County authorities shall never assess taxes the aggregate of which shall exceed seventy-five cents per one hundred dollars valuation, unless authorized by a vote of the people of the county; but if the General Assembly shall provide that the county shall be the unit for the levy and collection of taxes for road and bridge purposes, then county authorities may assess an additional tax for the construction, improvement and maintenance of public highways and bridges, which additional tax shall not exceed seventy-five cents per one hundred dollars valuation unless authorized by a vote of the people of the county.

Amend section 13 by substituting in lieu thereof the following:

Section 13. The General Assembly shall have authority to enact laws providing for the construction and improvement of public roads and highways in part by special assessments to be levied upon the property benefited by such construction and improvement whether such construction and improvement lie within one township or county or two or more townships or counties. Provided, that such laws shall contain provisions that all such construction and improvements shall be initiated by a petition signed by a majority of the owners of the lands proposed to be subjected to such special assessment, who shall be the owners of not less than one-third in area of the same lands.

And recommended that the Proposal, as amended, do pass.

The report of the committee was concurred in and the Proposal referred to the Committee on Phraseology and Style.

General Orders.

The Convention again proceeding on the General Orders, the President called Mr. Fyke to the chair.

And at the hour of 3:35 o'clock p. m., the Convention went into Committee of the Whole for the purpose of considering the majority and minority reports of the Committee on Corporations and Co-operative Associations, being Proposals numbered 364 and 365.

At the hour of 6:25 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Fyke, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

The report of the committee was concurred in.

And at the hour of 6:30 o'clock p. m., Mr. Green moved that the Convention do now adjourn until Tuesday, May 25, 1920, at 10:00 o'clock a. m.

The motion prevailed.

And the Convention stood adjourned.

TUESDAY, MAY 25, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. John H. Ryan, of the Methodist Episcopal Church, of Kankakee.

The Journal of Wednesday, May 19th, having been printed and placed on the desks of the delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Fyke to the chair.

And at the hour of 10:10 o'clock a. m., the Convention went into Committee of the Whole for the purpose of further considering the majority and minority reports of the Committee on Corporations and Co-operative Associations, being Proposals numbered 364 and 365.

At the hour of 6:43 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Fyke, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

The report of the committee was concurred in.

And at the hour of 6:45 o'clock p. m., Mr. Shanahan moved that the Convention do now adjourn until 9:00 o'clock a. m., tomorrow.

The motion prevailed.

And the Convention stood adjourned.

WEDNESDAY, MAY 26, 1920, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. John H. Ryan, of the Methodist Episcopal Church, of Kankakee.

The Journal of Thursday, May 20th, having been printed and placed on the desk of the delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The Convention proceeding on the Order of Reports of Standing Committees.

Mr. Hamill submitted the following report:

Your Committee on Phraseology and Style, to which was referred a Proposal to provide for the Militia (Intr. No. 339, Ref. No. 2) as amended in Committee of the Whole, respectfully reports that it has considered said Proposal and recommends that the following amendments be made therein:

1. In line 5 of section 1, of Ref. No. 2, strike out the word "provided" after the words "of this State."

2. In line 5 of said section, strike out the word "shall" after the words "no person" and add the word "shall" in the sixth line of said section between the words "arms" and "be."

3. In line 6 of said section, after the word "exempted" and before the word "from" add the words "by the laws of this State."

4. In line 7 of said section insert the word "any" before the word "military."

5. In lines 7 and 8 of said section, strike out the words "in any capacity that the Governor shall declare to be non-combatant" and insert in lieu thereof "declared by the Governor to be non-combatant."

6. In line 1 of section 4 before the initial word "The" insert the words "members of." After the initial word "The" insert the word "organized."

7. In line 2 of section 4 at the end thereof, after the word "and" insert the word "military."

8. In line 1 of section 4, after the word "militia" and before the word "in," strike out the word "shall," and in line 2 of said section 4 after the word "peace" and before the word "be," insert the word "shall."

9. In line 2 of section 4 after the word "at" and before the word "musters" insert the words, "and in going to and returning from," and in line 3 of said section 4 strike out the words, "and in going to and returning from the same."

10. In lines 2, 3 and 4 of section 5 strike out the words "and it shall be the duty of the General Assembly to provide by law for the safe keeping of the same;" in line 2 of said section 5, after the word "preserved" and before the word "as," insert the words "and safely kept;" and in line 2 of said section 5, after the words "valor of" and before the word "Illinois," insert the words "the men of."

Your Committee on Phraseology and Style have thought it inexpedient on the first reference to this committee to attempt a comparison of each separate Article with the corresponding Article in the original instrument evidencing the Constitution of 1870, because of the inconvenience which would be so occasioned to the Secretary of State, the custodian of that instrument. Such comparison will be made by your committee on the final reference. The draft of the Article now under consideration which same to your Com-

mittee on Phraseology and Style has been compared with the existing Constitution, as it appears in a copy printed under the authority of the State in 1917. Such comparison shows some departures in punctuation and in section 1 a change of the figures "18" and "45" to the words "eighteen" and "forty-five." Your committee recommends that the punctuation of the existing Constitution be preserved and the words "eighteen" and "forty-five" of the Proposal retained.

(Signed) CHARLES H. HAMILL,
EUGENE H. DUPEE,
C. B. T. MOORE,
ELAM L. CLARKE,
H. E. TORRANCE,
THOS. RINAKER,
GEORGE A. BARR,
Committee.

The report of the committee was ordered printed and Proposal No. 339 was placed on the order of second reading.

Messrs. Fyke, McEwen and Dryer presented several petitions from citizens of Effingham, Cook and Montgomery counties, respectively, relative to the reading of the Bible in the public schools, all of which were referred to the Committee on Bill of Rights.

The President announced the appointment of Mr. Taff as a member of the Committee on Schedule, vice Mr. Curtis.

GENERAL ORDERS.

The Convention proceeding on the General Orders the President called Mr. Fyke to the chair.

And at the hour of 9:15 o'clock a. m., the Convention went into Committee of the Whole for the purpose of further considering the majority and minority reports of the Committee on Corporations and Co-operative Associations, being Proposals numbered 364 and 365.

At the hour of 12:35 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Fyke from the Committee of the Whole having had under consideration Proposals numbered 364 and 365, being the majority and minority reports of the Committee on Corporations and Co-operative Associations, reported Proposal No. 364 back, together with the following amendments thereto, to-wit:

Amend section 1 by substituting in lieu thereof the following:

Section 1. No corporation shall be created by special laws, or its charter extended, changed, or amended, except those for charitable, educational, penal or reformatory purposes, which are to be and remain under the patronage and control of the State, but the General Assembly shall provide by general laws, for the organization of all corporations hereafter to be created.

Amend section 2 by adding at the end thereof the following:

"But provision may be made by law for the issuance of classes of stock with restricted, or without any, voting power and every certificate of stock shall show on its face its voting or non-voting character."

Amend section 3 by striking out all of lines 4 to 9 inclusive, except the word "created" in said line 4.

Amend section 4 by striking out lines 6, 7, 8, 9 and 10.

Amend Proposal No. 364 by striking out section No. 5.

Amend section 8 by substituting in lieu thereof section 1 of the separate sections of the Constitution of 1870, to-wit:

No contract, obligation or liability whatever, of the Illinois Central Railroad Company, to pay any money into the State treasury, nor any lien of the State upon, or right to tax property of said company, in accordance with the provisions of the charter of said company, approved February tenth, in the year of our Lord one thousand eight hundred and fifty-one, shall ever be released, suspended, modified, altered, remitted, or in any manner diminished or impaired by legislative or other authority; and all moneys derived from said company, after the payment of the State debt, shall be appropriated and set apart for the payment of the ordinary expenses of the State Government, and for no other purpose whatever.

Amend Proposal No. 364 by adding a new section thereto to be known as section 9, to-wit:

Section 9. Railways heretofore constructed or that may hereafter be constructed in this State, are hereby declared public highways, and shall be free to all persons, for the transportation of their persons and property thereon, under such regulations as may be prescribed by law. And the General Assembly shall from time to time pass laws establishing reasonable maximum rates of charges for the transportation of passengers and freight on the different railroads in this State.

Amend Proposal No. 364 by adding a new section thereto to be known as section 10, to-wit:

Section 10. The General Assembly shall pass laws to correct abuses and prevent unjust discrimination and extoriton in the rates of freight and passenger tariffs on the different railroads in this State, and enforce such laws, by adequate penalties, to the extent, if necessary, for that purpose, of forfeiture of their property and franchises.

And recommended that the Proposal, as amended, do pass.

The report of the committee was concurred in and the Proposal referred to the Committee on Phraseology and Style.

Mr. Fyke further reported that the Committee of the Whole recommended that Section 14 of the minority report be referred to the Committee on Bill of Rights.

And the report of the committee was concurred in.

At the hour of 12:45 o'clock p. m., Mr. Trautmann moved that the Convention do now take a recess until 4:00 o'clock p. m.

And the motion prevailed.

4:00 o'Clock P. M.

The hour of 4:00 o'clock p. m. having arrived the Convention resumed its sessions.

The President presiding.

The Convention again proceeding on the General Orders, the President called Mr. Shanahan to the chair.

And at the hour of 4:03 o'clock p. m. the Convention went into Committee of the Whole for the consideration of matters on the General Orders.

At the hour of 6:37 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Shanahan, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

Mr. Shanahan further reported that the committee of the Whole recommended that the amendments offered by Mr. Michal to Proposal No. 366 be referred to the Committee on Legislative Department.

The question being on the adoption of the report of the committee, it was decided in the affirmative.

The Convention again proceeding on the Order of Reports of Standing Committees.

Mr. Trautmann submitted the following report:

Your Committee on Executive Department, to which was referred Proposals Nos. 7, 33, 42, 194, 259, 283, 316 and 320; also Article 5 of the Constitution of 1870, and section 13 of Article 10 of the Constitution of 1870, reports the same back with a substitute therefor, being Proposal No. 369, a Proposal entitled "Executive Department," and recommends that the original Proposals above enumerated be rejected, and that the substitute Proposal No. 369 be placed on the General Orders.

(Signed) WM. E. TRAUTMANN,
FREDERIC R. DEYOUNG,
CHARLES S. CUTTING,
GEORGE W. HOGAN,
LAWRENCE C. JOHNSON,
HENRY I. GREEN,
ROLLO SIX,
J. MACK TANNER,
G. GALE GILBERT,
E. H. BREWSTER,
CYRUS E. DIETZ,
AMOS C. MILLER,
FRANK S. WHITMAN,

Committee.

The report of the committee was ordered printed and to lie on the table.

Mr. Trautmann submitted the further report:

Your Committee on Executive Department further reports that there should be submitted to the people of the State of Illinois to be separately voted on the following section, which if adopted shall become an addition to section 1, Article V of the Constitution of 1920.

This is Proposal No. 370 and we recommend that Proposal No. 370 be placed on the General Orders.

(Signed) WM. E. TRAUTMANN,
FREDERIC R. DEYOUNG,
CHARLES S. CUTTING,
G. GALE GILBERT,
HENRY I. GREEN,
FRANK S. WHITMAN,
CYRUS E. DIETZ,
LAWRENCE C. JOHNSON,
AMOS C. MILLER,
E. H. BREWSTER,
ROLLO SIX,
GEORGE W. HOGAN,
J. MACK TANNER,

Committee.

The report of the committee was ordered printed and to lie on the table.

At the hour of 6:40 o'clock p. m., Mr. Hamill moved that the Cenvention do now adjourn until 9:00 o'clock a. m., tomorrow.

The motion prevailed.

And the Convention stood adjourned.

THURSDAY, MAY 27, 1920, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. John H. Ryan, of the Methodist Episcopal Church, of Kankakee.

The Journal of Tuesday, May 25th, having been printed and placed on the desks of the delegates, as provided under the rules, was taken up and no corrections appearing was ordered to stand approved.

The President, as chairman, laid before the Convention the following report from the Committee on Rules and Procedure, to-wit:

Committee Report.

Your Committee on Rules and Procedure recommends that Proposal No. 369 reported by the Committee on Executive Department, be taken from the table and placed on the General Orders for consideration in Committee of the Whole.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

Mr. Brenholt presented a petition from citizens of Madison county relating to the reading of the Bible in the Public Schools which was referred to the Committee on Bill of Rights.

The Convention proceeding on the Order of Proposals on Second Reading.

The report of the Committee on Phraseology and Style on Proposal No. 339, a Proposal to provide for the militia, was taken up.

And the question being on the adoption of the amendments proposed to section 1, by the Committee on Phraseology and Style, Mr. Hamill moved that the same be adopted.

And the motion prevailed.

Mr. Cruden moved to amend the Proposal by striking out all of section 2.

And on that motion a division was had resulting as follows: Yeas, 34; nays, 29.

The motion prevailed and section 2 was stricken out.

The amendments to section 4 proposed by the Committee on Phraseology and Style being taken up, Mr. Hamill moved their adoption.

And the motion prevailed.

The amendments to section 5 proposed by the Committee on Phraseology and Style being taken up, Mr. Hamill moved their adoption.

And the motion prevailed.

The Proposal was then taken up and read at large, as amended, and the question being, "Shall the Proposal pass," a call of the roll was had resulting as follows: Yeas, 54; nays, 15.

Those voting in the affirmative are: Messrs.

Barr	Dove	Ireland	Moore	Stahl
Brewster	Dryer	Jack	Morris	Sutherland
Chew	Dunlap	Johnson, W. A.	Nichols	Taff
Clarke	Gale	Kunde	O'Brien	Tanner
Coolley	Goodyear	Latchford	Paddock	Todd
Corcoran	Gorman	Lindly	Quinn	Traeger
Corlett	Gray	McEwen	Revell	Trautmann
Cruden	Green	McGuire	Rinaker	Wall
Cutting	Hamill	Mighell	Shanahan	Whitman
Dawes	Hollenbeck	Miller	Shuey	Mr. President
De Young	Hull	Mills	Smith	

Yeas—54.

Those voting in the negative are: Messrs.

Brenholt	Ganschow	Jarman	Mack	Parker
Carlstrom	Gee	Kerrick	Michaelson	Rosenberg
Elting	Hogan	Lohman	Michal	Six

Yeas—15.

The Proposal having received the votes of a majority of the delegates elected was declared passed.

The Proposal was then re-referred, under the rules, to the Committee on Phraseology and Style for action as provided by Rule 20.

General Orders.

The Convention proceeding on the General Orders the President called Mr. Shanahan to the chair.

And at the hour of 9:15 o'clock a. m., the Convention went into Committee of the Whole for the further consideration of Proposal No. 366.

At the hour of 11:37 o'clock a. m., the Convention resumed its session.

The President presiding.

Mr. Shanahan, from the Committee of the Whole, reported that the Committee had made progress and asked leave to sit again.

Mr. Shanahan further reported that the Committee of the Whole recommended that section 30 be recommitted to the Committee on Legislative Department.

The question being on the adoption of the report of the committee, it was decided in the affirmative.

At the hour of 11:40 o'clock a. m., Mr. Trautmann moved that the Convention do now adjourn until Tuesday, June 1, 1920, at 10:00 o'clock a. m.

The motion prevailed.

And the Convention stood adjourned.

TUESDAY, JUNE 1, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. David McMeekin Conn, of the First Presbyterian Church, of Sparta.

The Journal of Wednesday, May 26th, having been printed and placed on the desks of the delegates, as provided under the rules, was taken up and no corrections appearing was ordered to stand approved.

Mr. Elting presented several petitions from citizens of Carbondale and Kirkwood, relating to the reading of the Bible in the public schools, which were referred to the Committee on Bill of Rights.

General Orders.

The Convention proceeding on the General Orders the President called Mr. Shanahan to the chair.

And at the hour of 10:10 o'clock a. m., the Convention went into Committee of the Whole for the further consideration of Proposal No. 366.

At the hour of 7:03 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Shanahan, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

The Convention again proceeding on the order of Reports of Standing Committees.

Mr. Shanahan submitted the following report:

Your Committee on Legislative Department, to which was referred Proposal No. 211, a proposal to provide for public employment control and for the classification of certain positions in the public service, reports the same back with the recommendation that same be rejected for the reason that it is considered legislative matter.

(Signed) D. E. Shanahan,
Geo. P. Latchford,
John E. Traeger,
M. D. Hull,
Cicero J. Lindly,
H. M. Dunlap,
Lee Mighell,
Thos. Stahl,
Thos. Rinaker,
James H. Paddock,
Joseph W. Fifer,
Committee.

The report of the committee was ordered printed and to lie on the table.

The President, as chairman, laid before the Convention the following report from the Committee on Rules and Procedure, to-wit:

COMMITTEE REPORT.

Your Committee on Rules and Procedure recommends that Proposal No. 361, reported by the Committee on Agriculture, be taken from the table and placed on General Orders for consideration in the Committee of the Whole.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

At the hour of 7:05 o'clock p. m., Mr. Brenholt moved that the Convention do now adjourn until 9:00 o'clock a. m., tomorrow.

The motion prevailed.

And the Convention stood adjourned.

WEDNESDAY, JUNE 2, 1920, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. David McMeekin Conn, of the First Presbyterian Church, of Sparta.

The Journal of Thursday, May 27th, having been printed and placed on the desks of the delegates, as provided under the rules, was taken up and no corrections appearing was ordered to stand approved.

Mr. McGuire presented several petitions from citizens of Randolph and Jackson counties relating to the reading of the Bible in the public schools, which were referred to the Committee on Bill of Rights.

Mr. Ganschow presented several petitions from citizens of Cook county relating to the reading of the Bible in the public schools, which were referred to the Committee on Bill of Rights.

Mr. DeYoung presented several petitions from citizens of Cook county relating to the reading of the Bible in the public schools, which were referred to the Committee on Bill of Rights.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Trautmann to the chair.

And at the hour of 9:20 o'clock a. m., the Convention went into Committee of the Whole for the purpose of considering the two reports from the Committee on Executive Department, being Proposals numbered 369 and 370.

At the hour of 6:27 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Trautmann, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

The Convention again proceeding on the Order of Reports of Standing Committees:

Mr. Shanahan submitted the following reports:

Your Committee on Legislative Department, having heretofore reported, in part, Proposal No. 366, now further reports sections 6, 7 and 8 of said Proposal as a majority report and recommends that they be placed on the General Orders for consideration in Committee of the Whole as a part of Proposal No. 366.

Hon. D. E. Shanahan, Chairman:

The undersigned, Sub Committee on Legislative Apportionment, composed of down State members of your committee, respectfully report the following proposal on that subject to be reported to the Convention, to-wit:

Section 6. The General Assembly shall apportion the State every ten years, beginning with the year 1921, into fifty-one Senatorial districts, each of which shall elect one Senator, whose term of office shall be four years, and the basis of Senatorial apportionment shall be the number of electors who voted at the last regular election at which a Governor was elected previous to the apportionment.

The territory now constituting the County of Cook shall be divided by the General Assembly into nineteen Senatorial districts and the number of such electors in that territory shall be divided by the number nineteen, and the quotient shall be the ratio of representation in the Senate for that territory.

The territory now constituting the remainder of the State shall be divided by the General Assembly into thirty-two Senatorial districts, and the number of such electors in that territory shall be divided by the number thirty-two, and the quotient shall be the ratio of representation in the Senate for that territory.

When a county contains two or more ratios of the territory it shall be divided by the General Assembly into as many senatorial districts as it has of such ratios. Districts in counties so divided shall be bounded by precinct lines, all other Senatorial districts shall be bounded by county lines.

All Senatorial districts shall be formed of compact and contiguous territory, and the districts in each territory shall contain, as nearly as practicable, an equal number of such electors, but in no case less than four-fifths of the ratio for that territory.

Senators shall be so elected that the term of those now in office shall not be disturbed. They shall be divided into two classes, so that one-half, as nearly as practicable, shall be chosen biennially.

Section 7. Members of the House of Representatives shall be elected for the term of two years, one from each county or district.

The State shall be reapportioned at the session of the General Assembly next after each Decennial Federal Census.

Each county shall be entitled to one Representative in the House of Representatives, and, by the first apportionment hereunder it shall also be entitled to one other Representative for each fifty thousand of its population as ascertained by such census for the year 1920, as the unit of reprcsentation by population.

The representation of each county, as fixed by any apportionment, shall not be thereafter reduced, and additional representation by population shall be apportioned to each county, but shall be based only on its increased population above that required for the last preceding apportionment, and the unit of representation shall be doubled at each succeeding apportionment.

Every ten years, beginning with the year A. D. 1921, each county entitled to more than one Representative, shall be divided by the General Assembly into as many Representative districts as there are Representatives to be elected from such county. Such districts shall be formed of compact and contiguous territory bounded by precinct lines, and contained as nearly as practicable, an equal number of inhabitants, but in no case less than four-fifths of the quotient resulting from dividing the population of that county by the number of representatives to which it is entitled.

Section 8. In case the General Assembly fail to make an apportionment at its first session following the taking of the Decennial Federal Census, it shall be the duty of the Secretary of State, Auditor of Public Accounts, and Attorney General to meet at the office of the Governor and make an apportionment in accordance herewith within ninety days after the adjournment

or dissolution of such session of the General Assembly, and file the same in the office of the Secretary of State, whereupon it shall become effective.

(Signed) GEORGE A. BARR,
G. H. STAHL,
H. M. DUNLAP,
JAMES A. PADDOCK,
THOS. RINAKER,
LEE MIGHELL,
JOSEPH W. FIFER,
CICERO J. LINDLY,
Committee.

Your Committee on Legislative Department submits the following minority report on sections 6, 7 and 8 of Proposal No. 366 and recommends that it be placed on the General Orders for consideration in the Committee of the Whole as part of Proposal No. 366.

(Signed) D. E. SHANAHAN,
GEO. P. LATCHFORD,
JOHN E. TRAEGER,
MORTON D. HULL,
Committee.

APPORTIONMENT.

SENATORIAL.

Section 6. The General Assembly shall apportion the State every ten years, beginning with the year 1921, by dividing the population of the State, as ascertained by the Federal census, by the number fifty-one, and the quotient shall be the ratio of representation in the Senate. The State shall be divided into fifty-one Senatorial districts, each of which shall elect one Senator, whose term of office shall be four years. *Senators from the districts bearing odd numbers shall be elected in the year 1922, and Senators from the districts bearing even numbers shall be elected in the year 1924.* Senatorial districts shall be formed of contiguous and compact territory, bounded by county lines, and contain, as nearly as practicable, an equal number of inhabitants; but no district shall contain less than four-fifths of the Senatorial ratio. Counties containing not less than the ratio and three-fourths *shall* be divided into separate districts and shall be entitled to two Senators and to one additional Senator for each number of inhabitants equal to the ratio contained by such counties in excess of twice the number of said ratio.

REPRESENTATIVE.

Section 7. *The General Assembly shall apportion the State every ten years, beginning with the year 1921, by dividing the population of the State, as ascertained by the Federal census, by the number one hundred fifty-three, and the quotient shall be the ratio of representation in the House of Representatives. The State shall be divided into one hundred and fifty-three Representative districts, each of which shall elect one Representative, whose term of office shall be two years. Representative districts shall be formed of contiguous and compact territory, bounded by county lines, and contain, as nearly as practicable, an equal number of inhabitants; but no district shall contain less than four-fifths of the Representative ratio. Counties containing not less than the ratio and three-fourths shall be divided into separate districts and shall be entitled to two Representatives and to one additional Representative for each number of inhabitants equal to the ratio contained by such counties in excess of twice the number of said ratio.*

Section 8. *If the General Assembly shall fail, neglect or refuse to make any apportionment required by this Constitution, it shall be the duty of the Governor, Secretary of State and Attorney General, within sixty days after the adjournment of the regular session of the General Assembly upon which*

such duty devolved, to apportion the State in accordance with the requirements of this Article, and the Governor shall make official announcement of such apportionment under the great seal of the State. Apportionments so made shall be as effective as if made by the General Assembly.

Mr. Quinn, from the Committee on Legislative Department files a minority report on sections 6, 7 and 8 of Proposal No. 366 as hereinafter set forth.

The majority report agreed to fails to provide for proportionate representation for minorities, and seeks to limit the representation of Cook county in the General Assembly.

The minority report agreed to fails to provide for proportionate representation for minorities.

The undersigned respectfully disagrees with both reports, and urges their rejection for the reasons above given.

(Signed) FRANK J. QUINN.

The reports of the committee were ordered printed and to lie on the table.

The President, as chairman, laid before the Convention the following report from the Committee on Rules and Procedure, to-wit:

COMMITTEE REPORT.

Your Committee on Rules and Procedure respectfully recommends that the reports of the Committee on Legislative Department, and the reports of the Committee on Initiative, Referendum and Recall, being Proposals numbered 367 and 368, be taken from the table and placed upon the General Orders for respective consideration in Committee of the Whole.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

The President, as chairman, laid before the Convention the further report from the Committee on Rules and Procedure, to-wit:

COMMITTEE REPORT.

Your Committee on Rules and Procedure recommends that Proposal No. 211, reported back by the Committee on Legislative Department, be taken from the table and placed on the General Orders for consideration in the Committee of the Whole.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

At the hour of 6:30 o'clock p. m., Mr. Shanahan moved that the Convention do now adjourn until 9:00 o'clock a. m., tomorrow.

The motion prevailed.

And the Convention stood adjourned.

THURSDAY, JUNE 3, 1920, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

Mr. Hamill, President *pro tem.*, presiding.

Prayer was offered by the Rev. David McMeekin Conn, of the First Presbyterian Church, of Sparta.

The Journal of Tuesday, June 1, having been printed and placed on the desks of the delegates, as provided under the rules, was taken up and no corrections appearing was ordered to stand approved.

Mr. Meinert presented several petitions from citizens of Randolph and Jackson Counties relating to the reading of the Bible in the public schools, which were referred to the Committee on Bill of Rights.

Mr. Corlett presented several petitions from citizens of DuPage County relating to the reading of the Bible in the public schools, which were referred to the Committee on Bill of Rights.

Mr. Corlett also presented a petition from citizens of DuPage County relating to Chicago's representation in the Legislature, which was referred to the Committee on Legislative Department.

Mr. Dove presented a petition from citizens of Christian County relating to the reading of the Bible in the public schools, which was referred to the Committee on Bill of Rights.

Mr. Tanner presented several petitions from citizens of Clay, Effingham and Marion Counties relating to the reading of the Bible in the public schools, which were referred to the Committee on Bill of Rights.

The Convention proceeding on the order of Reports of Standing Committees:

Mr. Dove submitted the following report:

A minority of your Committee on Initiative, Referendum and Recall respectfully recommends that the Proposal, hereto attached, being Substitute Proposal No. 371, for a Constitutional Initiative, be placed on the General Orders.

(Signed) GEO. P. LATCHFORD,
ERNEST KUNDE,
ERNEST D. POTTS,
OSCAR WOLFF,
Committee.

The report of the committee was ordered printed and to lie on the table.

GENERAL ORDERS.

The Convention proceeding on the General Orders, the President *pro tem.* called Mr. Trautmann to the chair.

And at the hour of 9:15 o'clock a. m., the Convention went into Committee of the Whole for the further consideration of Proposal No. 369.

At the hour of 11:20 o'clock a. m., the Convention resumed its session.

Mr. Hamill, President *pro tem.*, presiding.

Mr. Trautmann from the Committee of the Whole, reported that the Committee had made progress and asked leave to sit again.

The report of the committee was concurred in.

And at the hour of 11:25 o'clock a. m., Mr. Trautmann moved that the Convention do now adjourn until Tuesday, June 15, 1920, at 10:00 o'clock a. m.

The motion prevailed.

And the Convention stood adjourned.

TUESDAY, JUNE 15, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. J. G. Wright, of the Episcopal Church, of Greenville.

The Journal of Wednesday, June 2d, having been printed and placed on the desks of the delegates, as provided under the rules, was taken up and no corrections appearing was ordered to stand approved.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Trautmann to the chair.

And at the hour of 10:15 o'clock A. M. the Convention went into Committee of the Whole for the further consideration of Proposal No. 369 and also for consideration of Proposal No. 370.

At the hour of 12:55 o'clock P. M. the Convention resumed its session.

The President presiding.

Mr. Trautmann from the Committee of the Whole, having had under consideration the two reports from the Committee on Executive Departments, being Proposals numbered 369 and 370, reported Proposal No. 369 back, together with the following amendments thereto, to-wit:

Amend by adding on page 3, Section 10, after line 6, the following: "Provided, however, that the appointment of notaries public need not be confirmed by the Senate."

Amend in line 2, Section 13, after the word "offenses" by adding the words "either unconditionally or".

Amend Section 16 by striking out in lines 15, 18 and 24 the words "or parts thereof".

Amend Section 29 by striking out in lines 2 and 3 the words "for the conduct of the fiscal affairs and" and insert the word "of" before accounts in line 3, and change the word "of" after "accounts" to "for".

Section 29 would then read "The Auditor of Public Accounts in addition to his duties prescribed by law shall be required to establish a uniform system of accounts for all county, town and school officers, and to supervise such system and to audit the account of such officers."

And recommend that the Proposal, as amended, do pass.

The report of the committee was concurred in, and the Proposal referred to the Committee on Phraseology and Style.

Mr. Trautmann also reported Proposal No. 370 back, with the recommendation that it do not pass.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

Mr. Dunlap from the Committee of the Whole, having had under consideration Proposal No. 361, reported that the committee had made progress and asked leave to sit again.

The report of the committee was concurred in.

And at the hour of 1:05 o'clock p. m., Mr. Revell moved that the Convention do now adjourn until 9:00 o'clock A. M. tomorrow.

The motion prevailed.

And the Convention stood adjourned.

WEDNESDAY, JUNE 16, 1920, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. J. G. Wright, of the Episcopal Church, of Greenville.

The Journal of Thursday, June 3d, having been printed and placed on the desks of the delegates, as provided under the rules, was taken up and no corrections appearing was ordered to stand approved.

Mr. Traeger presented several petitions from citizens of Cook county, relative to the reading of the Bible in the public schools, which were referred to the Committee on Bill of Rights.

Mr. McEwen presented a petition from citizens of Cook county, relative to the reading of the Bible in the public schools, which was referred to the Committee on Bill of Rights.

Mr. Shuey presented a petition from citizens of Mattoon, Illinois, relative to the reading of the Bible in the public schools, which was referred to the Committee on Bill of Rights.

Mr. Brenholt presented several petitions from citizens of Madison county relative to the reading of the Bible in the public schools, which were referred to the Committee on Bill of Rights.

Mr. DeYoung presented a petition from citizens of Cook county relative to the reading of the Bible in the public schools, which was referred to the Committee on Bill of Rights.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Dunlap to the chair.

And at the hour of 9:15 o'clock a. m. the Convention went into Committee of the Whole for the consideration of matters on the General Orders.

At the hour of 6:30 o'clock p. m. the Convention resumed its session.

The President presiding.

Mr. Dunlap from the Committee of the Whole reported that the committee having had under consideration the report from the Committee on Agriculture, being Proposal No. 361, had made progress and asked leave to sit again.

And the report of the committee was concurred in.

Mr. Shanahan from the Committee of the Whole reported that the committee, having had under consideration the report from the Committee on Legislative Department, being Proposal No. 366, had made progress and asked leave to sit again.

And the report of the committee was concurred in.

The Convention again proceeding on the Order of Reports of Standing Committees:

Mr. Dietz submitted the following report:

Your Committee on Distinction Between Constitutional and Legislative Subjects, to which was referred Proposal Number Eighty-one (81) entitled "A Proposal to Provide for a System of Registering Land Titles by the State of Illinois or Counties Thereof" reports that it is the opinion of the members of the committee that the said Proposal is a Constitutional subject.

Therefore, as your committee is without authority to consider said Proposal upon its merits, the committee recommends that said Proposal be referred to the proper committee for consideration of said Proposal upon its merits.

Respectfully submitted,
(Signed) CYRUS E. DIETZ,
EDWARD CORLETT,
J. L. DRYER,
E. H. BREWSTER,
WILLARD M. MCEWEN,
M. A. MICHAELSON,
D. A. MACK,
Committee.

Your Committee on Distinction Between Constitutional and Legislative Subjects, to which was referred Proposal Number Two Hundred and Thirteen (213), entitled, "A Proposal to Prevent the Pollution of the Rivers and Lakes of This State," reports that it is the opinion of the members of the committee that the said proposal is non-constitutional.

Therefore, your committee recommends that the said Proposal do not become a part of the proposed Constitution.

Respectfully submitted,
(Signed) CYRUS E. DIETZ,
EDWARD CORLETT,
J. L. DRYER,
E. H. BREWSTER,
WILLARD M. MCEWEN,
M. A. MICHAELSON,
D. A. MACK,
Committee.

The report of the committee was ordered printed and to lie on the table.

At the hour of 6:35 o'clock p. m., Mr. Morris moved that the Convention do now adjourn until 9:00 o'clock a. m., tomorrow.

The motion prevailed.

And the Convention stood ajourned.

THURSDAY, JUNE 17, 1920, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. J. G. Wright, of the Episcopal church, of Greenville.

The Journal of Tuesday, June 15th, having been printed and placed on the desks of the delegates, as provided under the rules, was taken up and no corrections appearing was ordered to stand approved.

Mr. Michaelson presented a petition from citizens of Cook county, relative to the reading of the Bible in the public schools, which was referred to the Committee on Bill of Rights.

Mr. Cruden presented a petition from citizens of Cook county, relative to the reading of the Bible in the public schools, which was referred to the Committee on Bill of Rights.

Mr. DeYoung presented a petition from citizens of Cook county, relative to the reading of the Bible in the public schools, which was referred to the Committee on Bill of Rights.

Mr. Moore presented a petition from citizens of Decatur, Illinois, relative to the reading of the Bible in the public schools, which was referred to the Committee on Bill of Rights.

Mr. Corlett presented a petition from citizens of DuPage county relative to the reading of the Bible in the public schools, which was referred to the Committee on Bill of Rights.

Mr. Beckman presented a petition from citizens of Cook county relative to the reading of the Bible in the public schools, which was referred to the Committee on Bill of Rights.

The Convention proceeding on the Order of Reports of Standing Committees.

Mr. O'Brien submitted the following report:

Your Committee on Miscellaneous Subjects, to which was referred Proposal No. 300, beg leave to report the same back without recommendations.

(Signed) MARTIN J. O'BRIEN,
E. B. COOLLEY,
GEO. F. LOHMAN,
HENRY W. MEINERT,
M. A. MICHAELSON,
S. E. PINCUS,
J. H. PADDOCK,
WM. T. HOLLENBECK,
Committee.

The report of the committee was ordered printed and to lie on the table.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Dunlap to the chair.

And at the hour of 9:28 o'clock a. m., the Convention went into Committee of the Whole for the consideration of matters on the General Orders.

At the hour of 7:05 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Shanahan from the Committee of the Whole, having had under consideration the supplemental majority report of the Committee on Legislative Department, on Sections 6, 7 and 8, of Proposal No. 366, reported the same back, as amended in Committee of the Whole, as follows:

Section 6. The General Assembly shall apportion the State every twelve years, beginning with the year one thousand nine hundred and twenty-one, into fifty-seven Senatorial Districts, each of which shall elect one senator whose term of office shall be four years, and the basis of senatorial apportionment shall be the number of electors who voted for Governor at the last regular election at which a Governor was elected previous to the apportionment.

The territory now constituting the County of Cook shall be divided by the General Assembly into nineteen Senatorial Districts, and the number of such electors in that territory shall be divided by the number nineteen and the quotient shall be the ratio of representation in the Senate for that territory.

The territory now constituting the remainder of the State shall be divided by the General Assembly into thirty-eight Senatorial Districts, and the number of such electors in that territory shall be divided by the number thirty-eight and the quotient shall be the ratio of representation in the Senate for that territory.

When a county contains two or more ratios of its territory it shall be divided by the General Assembly into as many Senatorial Districts as it has such ratios. Districts in counties so divided shall be bounded by precinct or ward lines; all other Senatorial Districts shall be bounded by county lines.

All Senatorial Districts shall be formed of compact and contiguous territory and the districts in each territory shall contain as nearly as practicable an equal number of such electors but in no case less than four-fifths of the ratio for that territory.

Senators shall be so elected that the term of those now in office shall not be disturbed. They shall be divided into two classes so that one-half, as nearly as practicable, shall be chosen biennially.

Section 7. The General Assembly shall apportion the State every twelve years beginning with the year one thousand nine hundred and twenty-one, into one hundred and fifty-three Representative Districts, each of which shall elect one Representative whose term of office shall be two years, and the basis of representative apportionment shall be the number of electors who voted for Governor at the last regular election at which a Governor was elected, previous to the apportionment.

Representative Districts shall be formed of contiguous and compact territory, bounded by county lines, or in the case of counties entitled to more than one representative, by precinct or ward lines, and shall contain as nearly as practicable an equal number of electors, but no district shall contain less than four-fifths of the representative ratio.

Counties containing not less than the ratio and four-fifths may be divided into separate districts and shall be entitled to two Representatives, and to one additional Representative for each number of electors equal to the ratio contained by such counties in excess of twice the number of said ratio.

The territory of any county as constituted at the time of the adoption of this Constitution shall never be entitled to more than seventy-six representatives.

Section 8. In case the General Assembly fail to make an apportionment, at its first session following the time fixed in this Constitution for making any such apportionment, it shall be the duty of the Secretary of State, Auditor of Public Accounts, and Attorney General, to meet at the office of the Governor and make an apportionment in accordance herewith within ninety days after the adjournment.

And recommended that the same be incorporated in and made a part of Proposal No. 366 when reported for passage.

The question being on the adoption of the report of the committee, a call of the roll was had, resulting as follows: Yeas, 43; nays, 19.

Those voting in the affirmative are: Messrs.

Barr	Garrett	Johnson, W. A.	Paddock	Taff
Brenholt	Gee	Kerrick	Rinaker	Tanner
Brewster	Gilbert	Lill	Scanlan	Todd
Carlstrom	Goodyear	Lindly	Shaw	Torrance
Coolley	Gray	Meinert	Shuey	Trautmann
Dunlap	Green	Mighell	Six	Warren
Elting	Hogan	Mills	Smith	Whitman
Fifer	Jack	Moore	Stahl	Mr. President
Gale	Jarman	Nichols		Yeas—43.

Those voting in the negative are: Messrs.

Chew	Dupee, E. H.	Gorman	McEwen	Sutherland
Cruden	Dupuy, G. A.	Hamill	Michal	Traeger
De Young	Fyke	Hull	Miller	Wolff
Dove	Ganschow	Latchford	Shanahan	Nays—19.

And the report of the committee was concurred in.

Preceeding the roll call the following pairs were announced: Messrs. Corlett and Cutting, Dietz and Revell, and Hollenbeck and Beckman.

The following gentlemen were excused on account of illness: Messrs. Mack, Davis, Wall and Dawes.

Mr. Dunlap from the Committee of the Whole, having had under consideration the report from the Committee on Agriculture, being Proposal No. 361, reported the same back together with the following amendment thereto, to-wit:

Amend Proposal No. 361 by inserting after the word "Constitution," in line 5, the following sentence: "The State, however, shall not make any appropriations or become indebted in any manner for the establishment, maintenance and administration of such funds unless the question of making such appropriations or incurring such indebtedness shall be submitted to the voters at a general election and be approved by a majority of those voting on the question."

And recommended that the Proposal, as amended, do pass.

The report of the committee was concurred in, and the Proposal referred to the Committee on Phraseology and Style.

The President, as chairman, laid before the Convention the following report from the Committee on Rules and Procedure, to-wit:

COMMITTEE REPORT.

Your Committee on Rules and Procedure submits the following report and recommends:

(1) That beginning Tuesday morning, June 22, 1920, the Convention remain in session, from day to day, until all propositions pending before the Convention, or any of its committees, are disposed of in Committee of the Whole and referred to the Committee on Phraseology and Style.

(2) That beginning Tuesday morning, June 22, 1920, the Convention hold two or more sessions each week day, until all pending matters are disposed of.

(3) That when all matters pending before the Convention or its committees are referred to the Committee on Phraseology and Style, the Convention take a recess.

(4) That your committee is of opinion that all matters may be disposed of in Committee of the Whole and referred to the Committee on Phraseology and Style on or before the tenth day of July, A. D. 1920.

(5) That the reports of the respective committees be considered in the following order:

(a) Distinction between Constitutional and Legislative Subjects.
(b) Agriculture.
(c) Chicago and Cook County.
(d) Municipal Government.
(e) Public Works and Improvements.
(f) Bill of Rights.
(g) Judicial Department.
(h) Revenue, Taxation and Finance.
(i) Industrial Affairs and Labor.
(j) Miscellaneous Subjects.
(k) Future Amendments to the Constitution.
(l) Initiative, Referendum and Recall.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

Mr. Michal moved that when the Convention adjourns today it stand adjourned until 10:00 o'clock a. m., Thursday, July 1, 1920, in order to permit delegates desiring to do so to attend the National Democratic Convention in San Francisco.

And the motion was lost.

Mr. Barr moved that the delegates to the Democratic Convention be excused from attendance at this Convention during the period of the National Convention at San Francisco, including necessary time going and returning to their homes.

And the motion prevailed.

At the hour of 7:25 o'clock p. m., Mr. Hamill moved that the Convention do now adjourn until 10:00 o'clock a. m., Tuesday, June 22, 1920.

The motion prevailed.

And the Convention stood adjourned.

TUESDAY, JUNE 22, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. C. B. Grubb, of the First Christian Church, of Watseka.

The Journal of Wednesday, June 16th, having been printed and placed on the desks of the delegates, as provided under the rules, was taken up and no corrections appearing was ordered to stand approved.

Mr. Michaelson raised the point of no quorum.

Whereupon a call of the Convention was had, resulting as follows:

Those answering present are: Messrs.

Barr	Dupee, E. H.	Hollenbeck	Mighell	Smith
Brenholt	Elting	Hull	Miller	Sneed
Carlstrom	Fifer	Jack	Mills	Sutherland
Corcoran	Gale	Jarman	Moore	Taff
Corlett	Garrett	Johnson, W. A.	Nichols	Todd
Cruden	Gee	Kerrick	Paddock	Traeger
Cutting	Gilbert	Lindly	Parker	Trautmann
Davis	Goodyear	Lohman	Revell	Warren
Dawes	Gray	McEwen	Rinaker	Whitman
De Young	Green	McGuire	Scanlan	Wilson
Dietz	Hamill	Meinert	Shanahan	Woodward
Dunlap	Hogan	Michaelson	Shuey	Mr. President

Present—60.

The President announced that a quorum was present.

The Convention then proceeding on the Order of Reports of Standing Committees:

Mr. Shanahan submitted the following report:

Your Committee on Legislative Department, to which was referred Amendment No. 4, to Section 27, of Proposal No. 366 (trading stamps or trade premiums), reports the same back with the recommendation that it be not adopted.

(Signed) D. E. Shanahan,
Cicero Lindly,
Edward H. Morris,
Morton D. Hull,
Thos. Rinaker,
J. W. Fifer,
Lee Mighell,
H. H. Stahl,
George A. Barr,
Committee.

The report of the committee was ordered printed and placed on the General Orders.

Mr. Shanahan submitted the further report:

Your Commitete on Legislative Department, to which was referred Amendment No. 3, to be known as Section 23½, of Proposal No. 366, reports the same back with a subtitute therefor as follows, to-wit:

The General Assembly may by joint resolution, approved on roll call by a majority of the members elected to each branch thereof, designate or appoint any committee for the purpose of holding and conducting hearings and investigations or conducting any legislative business, the rights, duties,

powers and functions of such commitee shall not cease, end and determine with and upon the sine die adjournment of the General Assembly so appointing or designating such committee, but shall continue in force, effect and operation until the work and object of such committee shall be completed; provided, however, that the life and existence of such committee shall not extend into and beyond the next following biennial session of the General Assembly.

And recommends that the original amendment be rejected and that the substitute be placed on the General Orders.

(Signed) D. E. Shanahan,
Cicero Lindly,
Edward H. Morris,
Morton D. Hull,
Thos. Rinaker,
J. W. Fifer,
Lee Mighell,
H. H. Stahl,
George A. Barr,
Committee.

The report of the committee was ordered printed and placed on the General Orders.

Mr. Dunlap submitted the following report:

Your Committee on Agriculture, to which was referred Article XIII, of the present Constitution, reports the same back with amendments and recommends that the same be placed on the General Orders as Proposal No. 372, and that it be made a part of the Constitution of 1920.

(Signed) H. M. Dunlap,
S. J. Gee,
Lawrence C. Johnson,
J. Mack Tanner,
Wm. S. Gray,
F. R. Dove,
Henry W. Meinert,
Chas. H. Ireland,
Wm. H. Cruden,
Chas. V. Parker,
Frank S. Whitman,
Wm. T. Hollenbeck,
Alvin Warren,
Committee.

The report of the committee was ordered printed and to lie on the table.

The President, as chairman, laid before the Convention the following report from the Committee on Rules and Procedure, to-wit:

Committee Report.

Your Committee on Rules and Procedure recommends that Proposal No. 372, reported by the Committee on Agriculture, be taken from the table and placed on the General Orders for consideration in Committee of the Whole.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

The President, as chairman, laid before the Convention the further report from the Committee on Rules and Procedure, to-wit:

Committee Report.

Your Committee on Rules and Procedure recommends that the reports of the Committee on Distinction Between Constitutional and Legislative

Subjects on Proposals numbered 81 and 213 be taken from the table and placed on the General Orders for consideration in Committee of the Whole.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

Mr. Cruden presented a petition from citizens of Cook county relative to the reading of the Bible in the public schools, which was referred to the Committee on Bill of Rights.

Mr. McGuire presented several petitions from citizens of Cook, Randolph and Jackson counties relative to the reading of the Bible in the public schools, which were referred to the Committee on Bill of Rights.

Mr. Gee presented several petitions from citizens of the Forty-eighth District relative to the reading of the Bible in the public schools, which were referred to the Committee on Bill of Rights.

Mr. Sneed presented a petition from citizens of Pulaski county relative to the reading of the Bible in the public schools, which was referred to the Committee on Bill of Rights.

Mr. Dawes presented a petition from citizens of Cook county relative to the reading of the Bible in the public schools, which was referred to the Committee on Bill of Rights.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Shanahan to the chair.

And at the hour of 10:25 o'clock a. m., the Convention went into Committee of the Whole for the consideration of matters on the General Orders.

At the hour of 10:52 o'clock a. m., the Convention resumed its session.

The President presiding.

Mr. Shanahan from the Committee of the Whole, having had under consideration Proposal No. 366, reported that the Committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

Mr. Shanahan from the Committee of the Whole further reported that the Committee had had under consideration Proposal No. 211 and recommended that the same be rejected.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

General Orders.

The Convention again proceeding on the General Orders, the President called Mr. Dietz to the chair.

And at the hour of 10:55 o'clock a. m. the Convention went into Committee of the Whole for the consideration of the two reports from the Committee on Distinction Between Constitutional and Legislative Subjects.

At the hour of 10:57 o'clock a. m., the Convention resumed its session.

The President presiding.

Mr. Dietz from the Committee of the Whole, having had under consideration Proposals numbered 81 and 213, reported that the committee recommended that Proposal No. 81 be re-referred to the proper committee for consideration, on its merits, and that Proposal No. 213 be rejected.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

The President accordingly re-referred Proposal No. 81 to the Committee on Judicial Department.

General Orders.

The Convention again proceeding on the General Orders, the President called Mr. Dunlap to the chair.

And at the hour of 11:00 o'clock a. m., the Convention went into Committee of the Whole for the consideration of the report from the Committee on Agriculture, being Proposal No. 372.

At the hour of 6:52 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Dunlap, from the Committee of the Whole, having had under consideration Proposal No. 372, reported the same back with amendments as follows:

Amend Proposal No. 372 by substituting Sections 1, 2, 3, 4 and 5, of Article 13, of the Constitution of 1870, and by amending Sections 6 and 7 thereof to read as follows:

Section 6. It shall be the duty of the General Assembly to pass all necessary laws to prevent the issue of false and fraudulent warehouse receipts, and to give full effect to this article of the Constitution, which shall be liberally construed so as to protect producers, shippers, consumers and others interested. And the enumeration of the remedies herein named shall not be construed to deny to the General Asembly the power to prescribe by law such other and further remedies as may be found expedient, or to deprive any person of existing common law remedies.

Section 7. The General Assembly shall pass laws for the inspection of grain and produce and for the protection of producers, shippers, receivers and consumers of grain and produce.

And recommended that the Proposal, as amended, do pass.

The question being on the adoption of the report of the committee, a call of the roll was had, resulting as follows:

Yeas, 35; nays, 24.

Those voting in the affirmative are: Messrs.

Barr	Dunlap	Hogan	McEwen	Scanlan
Brenholt	Elting	Hollenbeck	Meinert	Shuey
Brewster	Fifer	Jack	Mighell	Smith
Carlstrom	Gee	Jarman	Mills	Sneed
Chew	Gilbert	Johnson, W. A.	Moore	Traeger
Corlett	Goodyear	Kerrick	Nichols	Warren
Cruden	Gray	Lindly	Parker	Whitman

Yeas—35.

Those voting in the negative are: Messrs.

Corcoran	Dietz	Hamill	Rinaker	Trautmann
Cutting	Dupee, E. H.	Hull	Shanahan	Wilson
Davis	Gale	Miller	Sutherland	Woodward
Dawes	Garrett	Paddock	Taff	Mr. President
De Young	Green	Revell	Todd	

Nays—24.

The report of the committee was adopted and Proposal No. 372, as amended, was referred to the Committee on Phraseology and Style.

The Convention again proceeding on the Order of Reports of Standing Committees:

Mr. Shanahan submitted the following report:

Your Committee on Legislative Department, to which was referred Proposals numbered 6, 25, 37, 57, 80, 87, 128, 141, 143, 163, 183, 184, 189, 221, 228, 237, 243, 293, 305, 335, 336, 350, 356, 352, reports the same back with the recommendation that they be rejected.

(Signed) D. E. Shanahan,
Cicero J. Lindly,
John E. Treager,
M. D. Hull,
Lee Mighell,
H. M. Dunlap,
J. W. Fifer,
Thos. Rinaker,
George A. Barr,
Commitee.

The report of the committee was ordered placed on the General Orders for consideration in conjunction with Proposal No. 366.

Mr. Shanahan submitted the further report:

Your Committee on Legislative Department, to which was recommitted Section 30 of Proposal No. 366, reported the same back with the recommendation that Section 30 of the present Constitution be adopted, instead of Section 30, as previously reported.

(Signed) D. E. Shanahan,
Cicero J. Lindly,
John E. Treager,
M. D. Hull,
Lee Mighell,
H. M. Dunlap,
J. W. Fifer,
Thos. Rinaker,
George A. Barr,
Commitee.

The report of the committee was ordered printed and placed on the General Orders.

Mr. Dunlap submitted the following report:

Your Committee on Agriculture, to which was referred Proposal No. 196, a proposal to reclaim swamp and overflow lands, reports the same back with a substitute therefor, being Proposal No. 373, a proposal to provide for drainage for agricultural, sanitary and mining purposes, and recommends that the original proposal be rejected and that the substitute Proposal No. 373 be placed on the General Orders.

(Signed) H. M. Dunlap,
Wm. T. Hollenbeck,
Henry W. Meinert,
Chas. V. Parker,
S. J. Gee,
Wm. H. Cruden,
Wm. S. Gray,
Alvin Warren,
Committee.

The report of the committee was ordered printed and to lie on the table.

Mr. Hull submitted the following report:

JOINT REPORT OF COMMITTEE ON MUNICIPAL GOVERNMENT AND CHICAGO AND COOK COUNTY.

Your Committee on Municipal Government and your Committee on Chicago and Cook County, to which were referred Proposals relative to Home Rule for Chicago and for other Municipalities report back a substitute therefor as a partial report of these committees, being Proposal No. 374, a proposal to provide home rule for municipalities.

And recommend that the substitute Proposal No. 374 be placed on the General Orders.

(Signed) BRUCE H. GARRETT,
CHARLES WOODWARD,
L. A. JARMAN,
GEORGE W. HOGAN,
WILLIAM M. SCANLAN,
EDWARD J. CORCORAN,
OSCAR E. CARLSTROM,
S. J. GEE,
WATTS A. JOHNSON,
JAMES P. JACK,
MORTON D. HULL,
JOHN E. TRAEGER,
CHARLES J. MICHAL,
ERNEST KUNDE,
WALTER H. WILSON,
AMOS C. MILLER,
W. H. CHEW,
ARTHUR M. SMITH,
Committee.

The report of the committee was ordered printed and to lie on the table.

Messrs. Brenholt and Lindly presented petitions from citizens of Madison county relative to the reading of the Bible in the public schools, which were referred to the Committee on Bill of Rights.

At the hour of 6:05 o'clock p. m., Mr. Shanahan moved that the Convention do now adjourn until 9:00 o'clock a. m., tomorrow.

The motion prevailed.

And the Convention stood adjourned.

WEDNESDAY, JUNE 23, 1920, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. C. B. Grubb, of the First Christian Church, of Watseka.

The Journal of Thursday, June 17th, having been printed and placed on the desks of the delegates, as provided under the rules, was taken up and no corrections appearing was ordered to stand approved.

The President, as chairman, laid before the Convention the following report from the Committee on Rules and Procedure, to-wit:

Committee Report.

Your Committee on Rules and Procedure respectfully recommends that Proposal No. 374, reported by the Committees on Chicago and Cook County and Municipal Government, be taken from the table and placed on General Orders for consideration in Committee of the Whole.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

The President, as chairman, laid before the Convention the further report from the Committee on Rules and Procedure, to-wit:

Committee Report.

Your Committee on Rules and Procedure respectfully recommends that Proposal No. 373, reported by the Committee on Agriculture, be taken from the table and placed on General Orders for consideration in Committee of the Whole.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

Messrs. Mills and Goodyear presented several petitions relative to the reading of the Bible in the public schools, which were referred to the Committee on Bill of Rights.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Shanahan to the chair.

And at the hour of 9:15 o'clock a. m., the Convention went into Committee of the Whole for the further consideration of the report from the Committee on Legislative Department, being Proposal No. 366.

At the hour of 11:32 o'clock a. m. the Convention resumed its session.

The President presiding.

Mr. Shanahan from the Committee of the Whole, having had under consideration Proposal No. 366, reported the same back with the recommendation that the Proposal, as amended in Committee of the Whole, in addition to and including Sections 6, 7, and 8, previously reported on June 17th to the Convention, do pass.

Which said amendments, exclusive of Sections 6, 7, and 8, are as follows:

Amend Section 22 by adding after the word "fish" in line 24, the following: "But reasonable classification of waters may be made".

Amend by adding a new section to be known as Section 23½, as follows:

Section 23½. The General Assembly may by joint resolution, approved on roll-call by a majority of the members elected to each branch thereof designate or appoint any committee, for the purpose of holding and conducting hearings and investigations or conducting any legislative business, the rights, duties, powers and functions of such committee shall not cease, end and determine with and upon the *sine die* adjournment of hte General Assembly so appointing or designating such committee, but shall continue in force, effect and operation until the work and object of such committee shall be completed; provided, however, that the life and existence of such committee shall not extend into and beyond the next following biennial session of the General Assembly.

Amend by striking out all of Section 31 and substituting in lieu thereof a new section as follows:

Section 31. The General Assembly may pass laws: (1) Permitting the owners and lessees of lands and of minerals to construct drains, ditches and levees upon or across the lands of others for agricultural, sanitary, and mining purposes; (2) providing for the organization of drainage districts and investing their corporate authorities with powers of eminent domain, and special assessment, and with such other appropriate powers as the General Assembly may deem necessary, for the development, construction, and maintenance of flood control, irrigation and of drainage for sanitary, agricultural and mining purposes; and (3) may provide for the development, construction and maintenance of such projects in whole by such drainage districts or for the purpose of making surveys and straightening and improving water courses in part at the expense of such drainage districts and in part by the State or any political subdivision thereof.

The authority given for the accomplishment of the purposes set forth in this section shall not deprive the General Assembly of the power to provide other means for the accomplishment thereof.

Amend by striking out Section 33 and substituting in lieu thereof the following:

Section 33. Whenever any death, disability or retirement fund shall have been or shall be created by law, and a part of the compensation of a public officer or employee is required to be deferred and contributed thereto, as the whole or as a part thereof, such public officer or employee or his beneficiary may have such vested interest therein as may be provided by law, but such interest shall attach only to the fund accumulated, and shall impose no obligation upon the State to create or maintain such fund.

Amend by striking out all of Section 30 and substituting in lieu thereof the following:

Section 30. The General Assembly may provide for establishing and opening roads and cartways connected with a public road, for private and public use.

The question being on the adoption of the report of the committee, a call of the roll was had, resulting as follows: Yeas, 49, nays, 23.

Those voting in the affirmative are: Messrs.

Barr	Fifer	Hollenbeck	Mills	Smith
Brenholt	Gale	Jack	Moore	Stahl
Brewster	Garrett	Jarman	Nichols	Taff
Carlstrom	Gee	Kerrick	Paddock	Tanner
Chew	Gilbert	Lill	Parker	Todd
Coolley	Goodyear	Lindly	Rinaker	Trautmann
Corlett	Gray	Mack	Scanlan	Warren
Dryer	Green	McGuire	Shaw	Whitman
Dunlap	Hamill	Meinert	Shuey	Mr. President
Elting	Hogan	Mighell	Six	

Yeas—49.

Those voting in the negative are: Messrs.

Beckman	Dawes	Iarussi	Miller	Traeger
Corcoran	De Young	Latchford	Revell	Wilson
Cruden	Dupee, E. H.	Lohman	Shanahan	Wolfl
Cutting	Dupuy, G. A.	McEwen	Sutherland	Woodward
Davis	Hull	Michaelson		

Nays—23.

The report of the committee was concurred in and Proposal No. 366 referred to the Committee on Phraseology and Style.

Mr. Hamill gave notice that he would move to reconsider the vote by which the report of the Committee of the Whole on Proposal No. 366 was adopted.

Mr. Shanahan further reported that the Committee of the Whole had had under consideration the report from the Committee on Legislative Department recommending that Proposals numbered 6, 25, 37, 57, 80, 87, 128, 141, 143, 163, 183, 184, 189, 221, 228, 237, 243, 293, 305, 335, 336, 350, 356, 352, be rejected, and that the Committee of the Whole recommended that the same be adopted.

The question being on the adoption of the report of the Committee of the Whole.

It was decided in the affirmative.

And the Proposals above enumerated were rejected.

General Orders.

The Convention again proceeding on the General Orders, the President called Mr. Hull to the chair.

And at the hour of 11:35 o'clock a. m., the Convention went into Committee of the Whole for the purpose of considering the joint report from the Committees on Municipal Government and Chicago and Cook County, being Proposal No. 374.

At the hour of 6:20 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Hull from the Committee of the Whole reported that the committee had made progress and asked leave to sit again.

The report of the committee was concurred in.

And at the hour of 6:23 o'clock p. m., Mr. Shanahan moved that the Convention do now adjourn until 9 o'clock a. m. tomorrow.

The motion prevailed.

And the Convention stood adjourned.

THURSDAY, JUNE 24, 1920, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. C. B. Grubb, of the First Christian Church, of Watseka.

The Journal of Tuesday, June 22d, having been printed and placed on the desks of the delegates, as provided under the rules, was taken up and no corrections appearing was ordered to stand approved.

Mr. Hamill in accordance with his notice moved that the vote by which the Convention on yesterday adopted the report of the Committee on Legislative Department be reconsidered.

Whereupon Mr. Rinaker moved that the consideration of said motion be postponed until Wednesday June 30th.

And the motion prevailed.

Mr. Brenholt presented several petitions from citizens of Madison county relating to the reading of the Bible in the public schools, which were referred to the Committee on Bill of Rights.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Hull to the chair.

And at the hour of 9:20 o'clock a. m. the Convention went into Committee of the Whole for the further consideration of the joint report from the Committee on Municipal Government and Chicago and Cook County, being Proposal No. 374.

At the hour of 6:12 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Hull from the Committee of the Whole reported that the committee had made progress and asked leave to sit again.

And the report of the Committee was concurred in.

The Convention again proceeding on the Order of Reports of Standing Committees:

Mr. Rinaker submitted the following report:

Your Committee on Bill of Rights, to which was referred Proposals numbered 2 and 341, in relation to the Preamble of the Constitution, reports the same back with the recommendation that Proposal No. 341 be rejected and that the preamble to the Constitution of 1870 be adopted as

the preamble to the proposed new Constitution and that Proposal No. 375 be placed on the General Orders.

(Signed) THOS. RINAKER,
E. B. COOLLEY,
ALEXANDER H. REVELL,
PHILLIP E. ELTING,
EDWARD CORLETT,
JAMES NICHOLS,
WILLIAM M. SCANLAN,
C. A. SHUEY,
RUFUS C. DAWES,
Committee.

The report of the committee was ordered printed and to lie on the table.

Mr. Rinaker submitted a further report:

Your Committee on Bill of Rights to which was referred Proposals numbered 4, 31, 32, 70, 79, 86, 97, 106, 108, 118, 119, 120, 121, 208, 217, 225, 226, 229, 239, 240, 247, 252, 254, 307, 330, 332, 347, 348, reports the same back with a substitute therefor, being Proposal No. 376, a proposal entitled Bill of Rights, and recommends that the original proposals, above enumerated be rejected, and that the subtitute Proposal No. 376 be placed on the General Orders.

(Signed) THOS. RINAKER,
E. B. COOLLEY,
RUFUS C. DAWES,
*ABEL DAVIS,
†WILLIAM M. SCANLAN,
PHILIP E. ELTING,
ALEXANDER H. REVELL,
JAMES NICHOLS,
‡C. A. SHUEY,
Committee.

*Reserving right to file minority report on Section 3.
†Reserving the right to file a minority report on Section 3 and possibly one or more other sections.
‡Reserving right to file minority report.

The report of the Committee was ordered printed and to lie on the table.

Mr. Revell gave notice that on next Tuesday he would introduce a resolution relative to the Convention taking a recess.

At the hour of 6:15 o'clock p. m., Mr. Hamill moved that the Convention do now adjourn until 9 o'clock a. m. tomorrow.

The motion prevailed.

And the Convention stood adjourned.

FRIDAY, JUNE 25, 1920, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. C. B. Grubb, of the First Christian Church, of Watseka.

The Journal of Wednesday, June 23, having been printed and placed on the desks of the delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

Mr. Dunlap moved that Proposal No. 373 be recalled from the General Orders and ordered to lie on the table, for the reason that the subject matter of the Proposal had been incorporated in section 31 of Proposal No. 366.

And the motion prevailed.

The President, as chairman, laid before the Convention the following report from the Committee on Rules and Procedure, to-wit:

Committee Report.

Your Committee on Rules and Procedure respectfully recommends that Proposals numbered 375 and 376 reported by the Committee on Bill of Rights be taken from the table and placed on the General Orders for consideration in Committee of the Whole.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

The President, as chairman, laid before the Convention the further report from the Committee on Rules and Procedure, to-wit:

Committee Report.

Your Committee on Rules and Procedure respectfully recommends that Proposal No. 300, reported back by the Committee on Miscellaneous Subjects be taken from the table and placed on the General Orders for consideration in Committee of the Whole.

The question being on the adoption of the report of the committee.

Mr. Sutherland moved, as a substitute, that Proposal No. 300 do not become a part of the Constitution.

Mr. Green raised the point of order that that motion was, under the rules, out of order.

And the Chair ruled the point of order well taken.

Whereupon, Mr. Sutherland moved that further consideration of the report of the Committee on Rules and Procedure be postponed, until Tuesday, June 29, 1920.

And the motion prevailed.

Messrs. Woodward and Corcoran presented several petitions from citizens of Cook County relative to the Home Rule, which were referred to the Committee of the Whole.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Hull to the chair.

And at the hour of 9:25 o'clock a. m., the Convention went into Committee of the Whole for the further consideration of the joint report from the Committees on Municipal Government and Chicago and Cook County, being Proposal No. 374.

At the hour of 10:32 o'clock a. m., the Convention resumed its session.

The President presiding.

Mr. Hull from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

General Orders.

The Convention again proceeding on the General Orders, the President called Mr. Rinaker to the chair.

And at the hour of 10:35 o'clock a. m., the Convention went into Committee of the Whole for the consideration of the reports from the Committee on Bill of Rights, being Proposals numbered 375 and 376.

At the hour of 11:17 o'clock a. m., the Convention resumed its session.

The President presiding.

Mr. Rinaker, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

At the hour of 11:20 o'clock a. m., Mr. Hamill moved that the Convention do now adjourn until Monday, June 28, 1920, at 10:00 o'clock a. m.

Mr. Whitman moved to amend that motion by inserting Tuesday, June 29, 1920, at 10:00 o'clock a. m.

Mr. Trautmann moved as a substitute for all pending motions that the Convention adjourn until Monday, June 28, 1920, at 3:00 o'clock p. m.

The motion prevailed.

And at the hour of 11:25 o'clock a. m., the Convention stood adjourned.

MONDAY, JUNE 28, 1920, 3:00 O'CLOCK P. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by Rev. F. D. Butler, of St. Paul's Episcopal Church, of Alton.

The Journal of Thursday, June 24th, having been printed and placed on the desks of the delegates, as provided under the rules, was taken up and, no corrections appearing, was ordered to stand approved.

The following delegates presented petitions relative to Proposal No. 300, which were referred to the Committee on Miscellaneous Subjects, Messrs. Moore, Mills, Sutherland, Whitman, Todd, Dawes, Rinaker, Shaw, Jarman, Trautmann and Brewster.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Coolley to the chair.

And at the hour of 3:45 o'clock p. m., the Convention went into Committee of the Whole for the consideration of matters on the General Orders.

At the hour of 4:27 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Coolley, from the Committee of the Whole, having had under consideration the report of the Committee on Miscellaneous Subjects, submitted to the Convention on May 13th, recommending the rejection of Proposals numbered 195, 314, 315, 342 and 333, reported that the Committee of the Whole had concurred in the report of the Committee on Miscellaneous Subjects except as to Proposal No. 342, and asked leave to sit again.

The question being on the adoption of the report of the Committee of the Whole.

It was decided in the affirmative.

And Proposals numbered 195, 314, 315 and 333 were rejected.

Sufficient excuses were presented to the Convention on account of the absence of Delegates Chew, Scanlan, Wall, Fifer and DeYoung.

Mr. Hamill then raised the point of no quorum.

Whereupon a call of the Convention was had, resulting as follows:

Those present were: Messrs.

Brenholt	Dietz	Hogan	Meinert	Shaw
Brewster	Dunlap	Hull	Mighell	Sutherland
Carlstrom	Dupuy, G. A.	Ireland	Mills	Taff
Coolley	Garrett	Jarman	Moore	Todd
Corcoran	Gilbert	Kerrick	Nichols	Trautmann
Corlett	Goodyear	Latchford	Rinaker	Whitman
Cruden	Green	Lindly	Shanahan	Mr. President
Dawes	Hamill			Present—37.

The President announced that less than a quorum was present.

Whereupon Mr. Jarman made the following motion: "That it is ordered by the Convention that the delegates absent, for whom insufficient or no excuses are made, be sent for and taken into custody wherever found by the Sergeant at Arms."

Pending discussion, Mr. Green moved to lay the motion of Mr. Jarman on the table.

The motion prevailed and it was so ordered.

At the hour of 4:30 o'clock p. m. Mr. Green moved that the Convention do now adjourn until 9:00 o'clock a. m. tomorrow.

The motion prevailed.

And the Convention stood adjourned.

TUESDAY, JUNE 29, 1920, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. F. D. Butler, of St. Paul's Episcopal Church, of Alton.

The Journal of Friday, June 25th, having been printed and placed on the desks of the delegates, as provided under the rules, was taken up and, no corrections appearing, was ordered to stand approved.

Mr. Michaelson presented a petition from citizens of Cook county relative to Home Rule, which was referred to the joint committee on Municipal Government and Chicago and Cook County.

Mr. Traeger presented a petition from citizens of Cook county relative to the reading of the Bible in the public schools, which was referred to the Committee on Bill of Rights.

The following delegates presented petitions relative to Proposal No. 311, which were respectively referred to the Committee on Miscellaneous subjects, viz:

Messrs. Wilson, Hamill, Woodward, Latchford, Goodyear, Kerrick, Beckman, Dawes, Dupuy, Wolff, Coolley, Hollenbeck, Brenholt, Six, Brandon, Shaw, Ireland, Traeger, W. A. Johnson, Brewster, Hull, Garrett, Stahl, Mighell, Moore, Cruden, Scanlan, Todd, Green, Clarke, Smith, Shuey, McEwen, Warren, Nichols, DeYoung, and Mills.

The consideration of the report of the Committee on Rules and Procedure, recommending that Proposal No. 300 be taken from the table and placed on the General Orders, having been postponed on June 25th, was again taken up.

Whereupon Mr. Green moved that the report of the Committee on Rules and Procedure be non-concurred in.

Mr. Sutherland moved to amend that motion by adding "and that Proposal No. 300 do not become a part of the Constitution," which amendment was accepted by Mr. Green.

Pending further consideration, Mr. Mighell moved the previous question.

And the question being, "shall the main question be now put?"

It was decided in the affirmative.

The question then being on the motion of Mr. Green, as amended, a call of the roll was had, resulting as follows Yeas, 59; nays, 9.

Those voting in the affirmative are: Messrs.

Barr	Dunlap	Hull	Moore	Stahl
Beckman	Dupee, E. H.	Ireland	Morris	Sutherland
Brandon	Dupuy, G. A.	Jack	Nichols	Taff
Brewster	Elting	Jarman	Parker	Tanner
Carlstrom	Garrett	Johnson, W. A.	Revell	Todd
Clarke	Gee	Latchford	Rinaker	Traeger
Corcoran	Gilbert	Lill	Scanlan	Whitman
Corlett	Gray	Mack	Shanahan	Wilson
Cruden	Green	McEwen	Shaw	Wolff
Dawes	Hamill	Meinert	Shuey	Woodward
De Young	Hogan	Mighell	Six	Mr. President
Dietz	Hollenbeck	Mills	Sneed	Yeas—59.

Those voting in the negative are: Messrs.

Brenholt	Dryer	Lindly	Smith	Warren
Coolley	Goodyear	Lohman	Trautmann	Nays—9.

The motion prevailed and Proposal No. 300 was ordered to lie on the table.

Mr. Revell, in accordance with his notice, entered on Thursday, June 24th, moved "That when the Convention adjourns this week it stand adjourned until Thursday, November 11, 1920."

And then moved that further consideration of the motion be postponed until tomorrow.

And the motion prevailed.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Hull to the chair.

And at the hour of 11:00 o'clock a. m. the Convention went into Committee of the Whole for the further consideration of the joint report from the Committees on Municipal Government and Chicago and Cook County, being Proposal No. 374.

At the hour of 12:45 o'clock p. m. the Convention resumed its session.

The President presiding.

Mr. Hull, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

At the hour of 12:50 o'clock p. m., Mr. Hamill moved that the Convention do now take a recess until 4:00 o'clock p. m.

And the motion prevailed.

4:00 o'Clock P. M.

The hour of 4:00 o'clock p. m. having arrived, the Convention resumed its session.

The President presiding.

General Orders.

The Convention again proceeding on the General Orders, the President called Mr. Hull to the chair.

And at the hour of 4:02 o'clock p. m. the Convention went into Committee of the Whole for the further consideration of the joint report from the Committees on Municipal Government and Chicago and Cook County, being Proposal No. 374.

At the hour of 4:32 o'clock p. m. the Convention resumed its session.

The President presiding.

Mr. Hull, from the Committee of the Whole, having had under consideration Proposal No. 374, reported back Sections 5 and 8 thereof, as amended, to read as follows:

Section 5. No law shall be passed by the General Assembly granting the right to construct or operate any public utility within any city, village or incorporated town requiring the occupation or use of streets, alleys or public ways by permanent fixtures or equipment, without requiring the consent of the corporate authorities.

Section 8. In aid of the public health, safety, comfort and welfare, and for the conservation of the taxable value of property throughout the municipality, any city, village or incorporated town may adopt equitable regulations governing the character and intensity of the use of lot areas and limiting buildings and structures of every kind according to their use or construction, or both, to specified districts of such municipality. Authority to adopt such regulations shall be deemed to be included within the police power and within the powers of local government vested in cities, villages and incorporated towns under this constitution. This provision shall apply to any statute or ordinance heretofore passed whose provisions are within the terms of this section. Nothing in this provision shall be construed to diminish in any way the police power in the full extent in which it would obtain without this provision.

And recommend that said sections do pass.

The report of the committee was concurred in and Sections 5 and 8 referred to the Committee on Phraseology and Style.

General Orders.

The Convention again proceeding on the General Orders, the President called Mr. Rinaker to the chair.

And at the hour of 4:35 o'clock p. m. the Convention went into Committee of the Whole for the further consideration of Proposal No. 376.

At the hour of 7:00 o'clock p. m. the Convention resumed its session.

The President presiding.

Mr. Rinaker, from the Committee of the Whole, reported that the Committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

The Convention proceeding on the Order of Reports of Standing Committees.

Mr. Lindly submitted the following report:

Your Committee on Public Works and Improvements, to which was re-referred Proposal numbered 354 with amendments thereto, reports the same back with a substitute therefore, being Proposal No. 377, a proposal entitled Canals and Waterways, and recommends that the original proposal and amendments, above enumerated, be rejected, and that the substitute Proposal No. 377 be placed on the General Orders.

(Signed) Cicero J. Lindly,
Chas. H. Ireland,
William M. Scanlan,
Walter H. Wilson,
*L. A. Jarman,
Will Stewart,
Committee.

*But not in favor of it.

The report of the committee was ordered printed and to lie on the table.

Mr. Rinaker submitted the following report:

Your Committee on Bill of Rights, to which was referred Proposal No. 129, reports the same back with the recommendation that it be made a part of the Bill of Rights.

(Signed) THOS. RINAKER,
W. M. SCANLAN,
EDWARD H. MORRIS,
JAMES NICHOLS,
PHILIP E. ELTING,
C. A. SHUEY,
RUFUS C. DAWES,
ALEXANDER H. REVELL,
Committee.

The report of the committee was ordered printed and to lie on the table.

Mr. Rinaker submitted the further report:

Your Committee on Bill of Rights, to which was referred Proposal No. 136, reports the same back with the recommendation that it be made a part of the Bill of Rights.

(Signed) *THOS. RINAKER,
RUFUS C. DAWES,
C. A. SHUEY,
EDWARD H. MORRIS,
WILLIAM M. SCANLAN,
PHILIP E. ELTING,
ALEXANDER H. REVELL,
Committee.

*With reservations.

The report of the committee was ordered printed and to lie on the table.

Mr. Rinaker submitted the further report:

Your Committee on Bill of Rights, to which was referred Proposal num-

Your Committee on Bill of Rights, to which was referred Proposal No. 282, reports the same back with the recommendation that it be rejected.

(Signed) THOS. RINAKER,
WILLIAM M. SCANLAN,
EDWARD H. MORRIS,
EDWARD CORLETT,
JAMES NICHOLS,
PHILIP E. ELTING,
C. A. SHUEY,
RUFUS C. DAWES,
ALEXANDER H. REVELL,
Committee.

The report of the committee was ordered printed and to lie on the table.

At the hour of 7:05 o'clock p. m., Mr. Lindly moved that the Convention do now adjourn until 9:00 o'clock a. m. tomorrow.

The motion prevailed.

And the Convention stood adjourned.

WEDNESDAY, JUNE 30, 1920, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. F. D. Butler, of St. Paul's Episcopal Church, of Alton.

The Journal of Monday, June 28th, having been printed and placed on the desks of the delegates, as provided under the rules, was taken up and, no corrections appearing, was ordered to stand approved.

Mr. W. A. Johnson presented a petition from citizens of Cook county relative to Proposal No. 300, which was referred to the Committee on Miscellaneous Subjects.

Mr. Kerrick presented a petition from pupils of the public schools of Danvers, Illinois, relative to the reading of the Bible in the public schools, which was referred to the Committee on Bill of Rights.

The consideration of the motion of Mr. Revell "That when the Convention adjourns this week it stand adjourned until Thursday, November 11, 1920," having been put on yesterday and postponed until today, was again taken up.

Pending discussion, Mr. Davis moved the previous question.

And the question being, "Shall the main question be now put?"

It was decided in the affirmative.

The question then being on the motion of Mr. Revell, a call of the roll was had, resulting as follows: Yeas, 8; nays, 68.

Those voting in the affirmative are: Messrs.

Brandon	Elting	Lohman	Revell	Wolff
Corcoran	Frole	Michaelson		

Yeas—8.

Those voting in the negative are: Messrs.

Barr	Dryer	Hollenbeck	Miller	Stahl
Beckman	Dunlap	Hull	Mills	Stewart
Brenholt	Dupee, E. H.	Ireland	Moore	Sutherland
Brewster	Dupuy, G. A.	Jack	Morris	Taff
Carlstrom	Fifer	Jarman	Nichols	Tanner
Clarke	Gale	Johnson, W. A.	Rinaker	Todd
Coolley	Garrett	Kerrick	Scanlan	Traeger
Corlett	Gee	Latchford	Shanahan	Trautmann
Cruden	Gilbert	Lill	Shaw	Warren
Cutting	Goodyear	Lindly	Shuey	Whitman
Davis	Gray	Mack	Six	Wilson
Dawes	Green	McEwen	Smith	Woodward
De Young	Hamill	Meinert	Sneed	Mr. President
Dietz	Hogan	Mighell		

Nays—68.

And the motion was lost.

The President, as chairman, laid before the Convention the following report from the Committee on Rules and Procudure, to-wit:

Committee Report.

Your Committee on Rules and Procedure respectfully recommends that reports of the Committee on Bill of Rights on Proposals numbered 129, 136,

282, be taken from the table and placed on General Orders for consideration in Committee of the Whole.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

The President, as chairman, laid before the Convention the further report from the Committee on Rules and Procedure, to-wit:

COMMITTEE REPORT.

Your Committee on Rules and Procedure respectfully recommends that Proposal No. 377, reported by the Committee on Public Works and Improvements as a substitute for Proposal No. 354, which was recommitted to said committee, be taken from the table and placed upon the General Orders for consideration in Committee of the Whole.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

Mr. Barr called up the motion made by Mr. Hamill on June 23d, "That the vote by which the report of the Committee on Legislative Department was adopted, be reconsidered," the consideration of which motion was postponed until today.

And moved that consideration of said motion be further postponed until Wednesday, July 7, 1920.

And the motion prevailed.

GENERAL ORDERS.

The Convention again proceeding on the General Orders, the President called Mr. Rinaker to the chair.

And at the hour of 10:20 o'clock a. m., the Convention went into Committee of the Whole for the further consideration of Proposal No. 376.

At the hour of 6:15 o'clock p. m. the Convention resumed its session.

The President presiding.

Mr. Rinaker, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

The report of the committee was concurred in.

And at the hour of 6:18 o'clock p. m., Mr. Hamill moved that the Convention do now adjourn until 9 o'clock a. m. tomorrow.

The motion prevailed.

And the Convention stood adjourned.

THURSDAY, JULY 1, 1920, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. F. D. Butler, of St. Paul's Episcopal Church, of Alton.

The Journal of Tuesday, June 29th, having been printed and placed on the desks of the delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Rinaker to the chair.

And at the hour of 9:30 o'clock a. m. the Convention went into Committee of the Whole for the further consideration of the reports of the Committee on Bill of Rights, being Proposals numbered 376, 129, 136, and 282.

At the hour of 10:57 o'clock a. m., the Convention resumed its session.

The President presiding.

Mr. Rinaker, from the Committee of the whole, having had under consideration Proposals numbered 375, 376, 136 and 282, reported back Proposal No. 376, together with the following amendments thereto, including the added amended section of Proposal No. 136, and recommended that the Proposal, as amended and reported, do pass. Which said amendments are as follows, to-wit:

Amend Section 5 by adding at the end thereof the words "but shall not be required to serve," so that the last sentence will read as follows: "Women shall be eligible to jury service but shall not be required to serve."

Amend Section 5 by striking out in line 4 the words "and less than an unanimous verdict in civil cases."

Amend Section 8 by inserting after the word "of" in line 3 the letter "a" and after the word "court" in line 3 the words "of record."

Amend Section 13 by adding at the end of said section after the word "excess" the words "or any part thereof."

Amend Section 17 by striking out the entire section and substituting in lieu thereof the following: "All elections shall be free and equal."

Amend Section 19 by striking out in lines 4 and 5 the words "The State is and shall ever remain representative in its system of government and not a pure democracy."

Amend Proposal No. 376 by striking out all of Section 20 thereof.

Amend Proposal No. 376 by adding thereto the amended section of Proposal No. 136, towit:

Amended Section of Proposal No. 136.

The laws of this State shall be applicable alike to all citizens, without regard to race or color, and no citizen shall be prohibited from doing any-

thing that any other citizen may do, because or by reason of the race or color of such citizen.

The report of the committee was concurred in and Proposal No. 376 referred to the Committee on Phraseology and Style.

Mr. Rinaker submitted a further report with the recommendation the Proposal No. 375, as reported from the Committee on Bill of Rights, do pass.

The report of the committee was concurred in and Proposal No. 375 referred to the Committee on Phraseology and Style.

Mr. Rinaker submitted a further report with the recommendation that Proposal No. 282 be rejected.

The report of the committee was concurred in and Proposal No. 282 ordered to lie on the table.

Mr. Rinaker submitted a further report recommending that Proposals numbered 4, 31, 32, 70, 79, 86, 97, 106, 108, 118, 119, 120, 121, 208, 217, 225, 226, 229, 239, 240, 247, 252, 254, 307, 330, 332, 347, and 348, be rejected.

The report of the committee was concurred in, and the Proposals above numberated were ordered to lie on the table.

General Orders.

The Convention again proceeding on the General Orders, the President called Mr. Lindly to the chair.

And at the hour of 11:00 o'clock a. m., the Convention went into Committee of the Whole for the consideration of the report from the Committee on Public Works and Improvements, being Proposal No. 377.

At the hour of 1:07 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Lindly, from the Committee of the Whole, reported that the Committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

At the hour of 1:10 o'clock p. m., Mr. Hamill moved that the Convention do now take a recess until 8:00 o'clock p. m.

And the motion prevailed.

8:00 o'Clock P. M.

The hour of 8:00 o'clock p. m. having arrived, the Convention resumed its session.

The President presiding.

General Orders.

The Convention again proceeding on the General Orders, the President called Mr. Lindly to the chair.

And at the hour of 8:02 o'clock p. m. the Convention went into Committee of the Whole for the further consideration of the report of the Committee on Public Works and Improvements, being Proposal No. 377.

At the hour of 10:42 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Lindly, from the Committee of the Whole, reported that the Committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

Mr. Green moved that when the Convention adjourns today, it stand adjourned until Tuesday, July 6, 1920, at 10:00 o'clock a. m.

And the motion prevailed.

The Convention proceeding on the Order of Reports of Standing Committees.

Mr. Gale submitted the following report:

Your Committee on Revenue, Taxation and Finance, to which was referred Proposals numbered 1, 11, 43, 44, 54, 62, 63, 66, 69, 71, 72, 76, 82, 85, 92, 101, 103, 109, 110, 113, 114, 154, 160, 161, 181, 191, 201, 227, 241, 244, 248, 249, 250, 257, 260, 261, 266, 270, 284, 289, 302, 306, 308, 311, 323, 326, 327, 328, 338, 343, 344, and Article IX of the Constitution of 1870 reports the same back with a substitute therefor, being Proposal No. 378, a Proposal for a revenue article for the Constitution of 1920.

And recommends that the original proposals, above enumerated, be rejected, and that the substitute Proposal No. 378 be placed on the General Orders.

(Signed) Geo. C. Gale,
*C. A. Shuey,
†E. E. Fyke,
‡Martin J. O'Brien,
Frank S. Whitman,
*John J. Brenholt, Jr.,
Watts A. Johnson,
Douglas Sutherland,
George A. Barr,
Rufus C. Dawes,
Abel Davis,
Eugene H. Dupee,
Committee.

*Except Section 1.
† Except Section 3.
‡ Except Section 4.

The report of the committee was ordered printed and to lie on the table.

Mr. DeYoung submitted the following report:

Your Committee on Judicial Department, to which was referred Proposals numbered 29, 56, 91, 132, 144, 222, 294, 317, 324, reports the same back with a substitute therefor, being Proposal No. 379, a proposal entitled Judicial Department.

And recommends that the original Proposals, above enumerated, be rejected, and that the substitute Proposal No. 379 be placed on the General Orders.

(Signed) C. S. Cutting,
*A. F. Goodyear,
*John L. Dryer,
*Henry I. Green,
*David E. Mack,
*S. J. Gee,
Geo. A. Dupuy,
Willard M. McEwen,
Frederic R. DeYoung,
Committee.

*Reserving right to amend Section 5, or file minority report providing for 7 instead of 9 Supreme Court justices.

The report of the committee was ordered printed and to lie on the table.

At the hour of 10:55 o'clock p. m., Mr. Cutting moved that the Convention do now adjourn.

The motion prevailed.

And, in accordance with the motion heretofore adopted, the Convention stood adjourned until Tuesday, July 6, 1920, at 10:00 o'clock a. m.

TUESDAY, JULY 6, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. W. E. Bennett, of the First Methodist Episcopal church, of McLeansboro.

The Journal of Wednesday, June 30th, having been printed and placed on the desks of the delegates, as provided under the rules, was taken up, and, no corrections appearing, was ordered to stand approved.

The Convention proceeding on the Order of Reports of Standing Committees:

Mr. Kerrick submitted the following minority report:

The undersigned members of the Committee on Revenue, Taxation and Finance, being a minority of said committee, not in agreement with the report of the majority of said committee as to Section 1 as set forth in the report of said majority, do hereby report and recommend the adoption of Section 1, as hereinafter set forth, being Proposal No. 380, in lieu of Section 1 as set forth in the majority report of said committee.

"Section 1. The General Assembly shall provide for the levy of taxes upon all property by valuation so that every person and corporation shall pay a tax in proportion to the value of his, her or its property. Such value shall be ascertained by some person or persons to be elected or appointed in such manner as the General Assembly shall direct, and not otherwise, but the General Assembly shall have power to levy taxes upon franchises, privileges and occupations uniform as to the class upon which they operate.

"The General Assembly shall provide that concurrently with the levy of taxes by valuation as aforesaid a tax shall be levied upon all incomes from whatever source derived. Such income tax shall be levied at an uniform rate, except that a lower rate may be imposed upon incomes derived otherwise than from property, than upon incomes derived from property.

"Taxes levied on property by valuation and paid shall be deducted from the income tax derived from such property for the same year. Exemption of taxation of net incomes derived from any source in an amount not exceeding $500 to a person not the head of a family whose total net income is less than $1,000, and not exceeding $1,000 to the head of a family whose total net income is less than $2,000, may be exempted from taxation."

(Signed) T. C. Kerrick,
Alvin Warren,
J. J. Brenholt, Jr.,
Wm. J. Sneed,
Minority of the Committee.

The report of the committee was ordered printed and to lie on the table.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Lindly to the chair.

And at the hour of 10:25 o'clock a. m. the Convention went into Committee of the Whole for the further consideration of the report of the Committee on Public Works and Improvements, being Proposal No. 377.

At the hour of 4:22 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Lindly, from the Committee of the Whole, having had under consideration Proposal No. 377, reported the same back, together with the following amendments thereto:

Amend Section 4 by inserting after the word "State" in line 3 the words "at a general election".

Amend Section 5 by striking out in line 2 the words "for purposes of transportation or".

Amend Section 6 by striking out in line 2 the words "for the maintenance and preservation thereof", and in line 3 the words "any fund other than".

Amend Section 6 by adding at the end thereof the following: Otherwise than as in this article provided, the General Assembly shall never loan the credit of the State or make appropriation from the treasury thereof, in aid of canals.

Amend Section 7 by adding after the word "power" in line 1 the words "or railway or terminal purposes".

And recommended that the Proposal, as amended, do pass.

The report of the committee was concurred in and Proposal No. 377 was referred to the Committee on Phraseology and Style.

At the hour of 4:25 o'clock p. m., Mr. Sutherland moved that the Convention do now adjourn until 9 o'clock a. m. tomorrow.

The motion prevailed.

And the Convention stood adjourned.

WEDNESDAY, JULY 7, 1920, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. W. E. Bennett, of the First Methodist Episcopal Church, of McLeansboro.

The Journal of Thursday, July 1, having been printed and placed on the desks of the delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

Mr. Michaelson presented a petition from citizens of Cook County relative to the reading of the Bible in the public schools, which was referred to the Committee on Bill of Rights.

The Convention proceeding on the order of Reports of Standing Committees.

Mr. Shuey submitted the following minority report:

The undersigned member of the Committee on Revenue, Taxation and Finance, being a minority of said committee, not in agreement with the report of said committee as to section one as set forth in the report of said majority, do hereby report and recommend the adoption of section one as hereinafter set forth, being Proposal No. 381, in lieu of section one as set forth in the majority report of said committee:

The General Assembly shall have power to levy taxes by valuation on all property in this State uniform as to persons and property without discrimination.

The General Assembly shall have power to levy taxes without discrimination as to persons or property according to valuation on all real estate and tangible personal property; and in lieu of all other taxes on intangible personal property, and General Assembly shall have power (and in case no other taxes are levied on intangible personal property, the General Assembly shall) levy an income tax, at a rate to be determined by the General Assembly, on all incomes including those arising out of property upon which the income-taxpayer shall be required to pay *ad valorem* taxes.

In the event that the General Assembly, by virtue of the foregoing provision, levy an income tax in accordance therewith the General Assembly shall provide that taxpayer paying *ad valorem* taxes, shall return his entire income, including income arising out of property subject to *ad valorem* taxes, and that such taxpayer may deduct the amount of *ad valorem* taxes he is required to pay from that part of his income taxes computed on income arising out of property, upon which he is required to pay *ad valorem* taxes.

In the construction of the provision allowing *ad valorem* taxes to be deducted from income taxes arising out of property upon which *ad valorem* taxes are required to be paid, in all cases where it is impossible to determine whether the income arises out of such property, or is attributable to the personal endeavors of the taxpayer, and in all cases where the income arises out of both endeavor and such property, the deduction shall be allowed.

The General Assembly shall also have power to impose taxes upon franchise privileges and occupations by general law uniform as to class upon which it operates.

Not exceeding five hundred dollars to a person not the head of a family whose total net income is less than one thousand dollars, and not exceeding one thousand dollars to a head of a family whose total net income is less than two thousand dollars, may be exempted from income tax.

The income tax levied may be graduated, but the rates provided for by the General Assembly must be graduated only according to amounts of income and the difference in rate shall not be greater than six to one.

The income tax shall be a substantial tax and shall approximate the *ad valorem* tax burden.

(Signed) C. A. SHUEY,
Member of the Committee.

The report of the committee was ordered printed and to lie on the table.

Mr. Revell called up the matter of taking a recess and moved that it be the sense of the Convention that a recess be taken.

Pending discussion, Mr. Carlstrom moved as a substitute that the Convention first proceed to consider the reports of the Committee on Revenue, Taxation and Finance; Judiciary; Chicago and Cook County and other matters on the General Orders now before the Convention.

The question being on the substitute motion, a call of the roll was had, resulting as follows: Yeas, 40; nays, 39.

Those voting in the affirmative are: Messrs.

Barr	Davis	Hamill	Nichols	Sutherland
Brenholt	Dawes	Hogan	Rinaker	Taff
Carlstrom	Dietz	Jack	Scanlan	Tanner
Chew	Dunlap	Lill	Shanahan	Torrance
Clarke	Dupuy, G. A.	Lindly	Shuey	Traeger
Coolley	Gale	McEwen	Six	Trautmann
Corlett	Gee	Meinert	Smith	Warren
Cruden	Gray	Mills	Stewart	Mr. President

Yeas—40.

Those voting in the negative are: Messrs.

Brewster	Frole	Ireland	Michaelson	Revell
Corcoran	Ganschow	Jarman	Mighell	Sneed
Cutting	Garrett	Johnson, W. A.	Miller	Todd
De Young	Gilbert	Kerrick	Moore	Wall
Dryer	Goodyear	Kunde	Morris	Whitman
Dupee, E. H.	Gorman	Latchford	Paddock	Wilson
Elting	Hollenbeck	Lohman	Parker	Woodward
Fifer	Hull	Mack	Potts	

Nays—39.

And the motion prevailed.

Mr. Hamill called up his motion, heretofore entered on June 24 and postponed until today, to reconsider the vote by which the Convention adopted the report of the Committee of the Whole on Legislative Department.

Whereupon Mr. Barr moved that further consideration of said motion be deferred until a later date.

Pending consideration, at the hour of 11:55 o'clock a. m., Mr. Gale moved that the Convention do now take a recess until 2:00 o'clock p. m.

And on that motion a division was had, resulting as follows: Yeas, 35; nays, 37.

And the motion was lost.

Pending further consideration, at the hour of 12:30 o'clock p. m., Mr. Dietz moved that the Convention do now take a recess until 2:30 o'clock p. m.

And on that motion a division was had, resulting as follows: Yeas, 41; nays, 34.

The motion prevailed.

2:30 o'Clock P. M.

The hour of 2:30 o'clock p. m. having arrived, the Convention resumed its session.

The President presiding.

The pending question at the hour of taking a recess being, the motion of Mr. Barr to defer action on the motion to reconsider, the same was again taken up.

Whereupon, Mr. Barr, by unanimous consent, withdrew his motion.

And the question then being on the motion of Mr. Hamill to reconsider the vote by which the Convention adopted the report of the Committee of the Whole on Legislative Department.

It was decided in the affirmative.

Mr. Barr thereupon moved that the report of the Committee of the Whole on Legislative Department be now placed on the General Orders.

And the motion prevailed.

Mr. Gale moved that the majority and minority reports of the Committee on Revenue, Taxation and Finance be placed on the General Orders.

And the motion prevailed.

Mr. Dupuy moved that the Convention do now adjourn until Tuesday, September 21, 1920, at 10:00 o'clock a. m.

Mr. Lindly moved to amend said motion by striking out "September 21" and inserting in lieu thereof "November 9."

And the question being on the amendment, it was decided in the negative.

The question recurring on the motion of Mr. Dupuy, a call of the roll was had, resulting as follows: Yeas, 44; nays, 35.

Those voting in the affirmative are: Messrs.

Barr	Dupee, E. H.	Gorman	Mack	Shuey
Brewster	Dupuy, G. A.	Gray	McEwen	Smith
Clarke	Elting	Green	Meinert	Sneed
Cutting	Fifer	Hollenbeck	Michaelson	Traeger
Davis	Frole	Hull	Miller	Trautmann
Dawes	Gale	Johnson, W. A.	Moore	Wall
De Young	Garrett	Kerrick	Morris	Whitman
Dietz	Gilbert	Latchford	Paddock	Wilson
Dryer	Goodyear	Lohman	Parker	

Yeas—44.

Those voting in the negative are: Messrs.

Brenholt	Gee	Lill	Rinaker	Taff
Carlstrom	Hamill	Lindly	Scanlan	Tanner
Coolley	Hogan	Mighell	Shanahan	Todd
Corcoran	Ireland	Mills	Shaw	Torrance
Corlett	Jack	Nichols	Six	Warren
Cruden	Jarman	Potts	Stewart	Wolff
Ganschow	Kunde	Revell	Sutherland	Woodward

Nays—35.

The motion prevailed.

And at the hour of 3:45 o'clock p. m., the Convention stood adjourned until Tuesday, September 21, 1920, at 10:00 o'clock a. m.

TUESDAY, SEPTEMBER 21, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Abram G. Bergen, of the First Presbyterian Church, of Springfield.

The Journal of Tuesday, July 6, having been printed and placed on the desks of the delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

The President, as chairman, laid before the Convention the following report from the Committee on Rules and Procedure, to-wit:

Committee Report.

Your Committee on Rules and Procedure respectfully reports the following resolution and recommends its adoption:

Resolution No. 29.

Resolved, That when this Convention adjourns today it adjourns to meet at 10:00 o'clock a. m., on Monday, November 8, 1920, and that when the Convention meets at that time it shall sit six days a week, and the President be instructed to enforce the attendance of the delegates.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

Mr. Michal offered the following resolution and moved its adoption:

Resolution No. 30.

Whereas, It is very generally complained of and charged in Chicago and other of the larger centers of this State, by the patrons of State banks, that such institutions, are systematically violating the laws of this State, the rate of interest charges by demanding not only the maximum interest rates allowed by law, but under the guise and pretext of charging commissions or bonuses for securing or granting loans, are exacting in many instances from ten to twenty-five per cent of the amounts loaned.

Whereas, This practice tends to throw unnecessary burdens on business and agriculture; resulting in preventing building operations, the movement and storing of crops, the employment of labor in industrial lines and in keeping up the present high cost of all commodities required by our people. If these reports are true, this Convention should know the facts so as to more clearly suggest remedies for the correction of this evil.

Therefore, be it Resolved, That the President be, and he is hereby directed, to appoint a committee of seven members of this body to fully investigate the subject of bank loans in this State, and report to this body its findings, conclusions and recommendations. Said committee to be empowered to compel the attendance of witnesses by subpoena or otherwise, the production by them of books and papers, and to administer oaths and to do all things so as to become fully advised in the premises.

Pending consideration, Mr. Hamill moved to lay the resolution on the table.

And the question being on the motion to table.

It was decided in the affirmative.

The Convention proceeding on the order of Reports of Standing Committees.

Mr. O'Brien submitted the following report:

Your Committee on Miscellaneous Subjects, to which was referred Proposal No. 224, beg leave to report the same back with recommendation that it be rejected.

(Signed) MARTIN J. O'BRIEN,
WATTS A. JOHNSON,
E. B. COOLLEY,
HENRY W. MEINERT,
HERBERT F. LILL,
M. A. MICHAELSON,
GEO. F. LOHMAN,
Committee.

The report of the committee was ordered printed and to lie on the table.

Mr. O'Brien submitted the following further report:

Your Committee on Miscellaneous Subjects, to which was referred Proposals No. 142 and 215, beg leave to report the same back with a substitute therefor, as follows, being Proposal No. 382 "A Proposal relative to amendments to the Federal Constitution."

Resolved, That the following shall become part of the Constitution of Illinois:

"Whenever the Congress of the United States shall by appropriate resolution, propose an amendment to the Federal Constitution, such resolution shall be filed and remain in the office of the Governor until after the members of the next General Assembly shall have been elected.

"When pursuant to law and this election, the General Assembly shall have been organized, the Governor shall present such resolution and proposed amendment for consideration."

And recommend that the same be placed on the general orders.

(Signed) MARTIN J. O'BRIEN,
WM. T. HOLLENBECK,
RODNEY H. BRANDON,
E. B. COOLLEY,
H. W. MEINERT,
M. A. MICHAELSON,
GEO. F. LOHMAN,
HERBERT T. LILL,
J. H. PADDOCK,
S. E. PINCUS,
Committee.

The report of the committee was ordered printed and to lie on the table.

Mr. Green moved that the Secretary be instructed to print in pamphlet form all reference proposals now pending before the Convention.

Mr. Michal moved to lay the motion on the table.

And the question being on the motion to table, it was decided in the negative.

The question recurring on the motion of Mr. Green, it was decided in the affirmative.

At the hour of 11:05 o'clock a. m., Mr. Green moved that the Convention do now adjourn.

The motion prevailed.

And in accordance with the resolution heretofore adopted, the Convention stood adjourned until Monday, November 8, 1920, at 10:00 o'clock a. m.

MONDAY, NOVEMBER 8, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. M. P. Boynton, of the Woodlawn Baptist Church, of Chicago.

The Journal of Wednesday, July 7, having been printed and placed on the desk of the delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

Mr. Paddock offered the following resolution and moved its adoption:

RESOLUTION No. 31.

WHEREAS, The members of the Constitutional Convention have learned with the deepest regret of the death of the Hon. Clinton L. Conkling, at Springfield, Illinois, on the twelfth day of October, 1920; and

WHEREAS, Mr. Conkling at the time of his death was an honored and respected member of this Convention from the forty-fifth senatorial district; and

WHEREAS, We desire to note that Mr. Conkling was born in Sangamon County in 1843, and that he has been a resident thereof all his life; that at the time of his death he was the oldest and leading member of the bar of that county; and that he took an active interest in all political, civic and religious matters affecting the people among whom he lived; now, therefore be it

Resolved, That we express our esteem and respect for the honored dead, and our sympathy for those to whom the sorrow of his death is most keen; and, be it further

Resolved, That we express our deep regret at the loss of one of our most useful and respected associates, and at the loss to the State of Illinois and his community of an honored and respected citizen; and, be it further

Resolved, That this preamble and resolution be spread upon the records of this Convention; that a suitably engrossed copy thereof be sent to the members of the bereaved family; and that as a further mark of respect to his memory the Convention do now adjourn.

The resolution was unanimously adopted by a rising vote, and, in accordance therewith, at the hour of 10:45 o'clock a. m., the Convention stood adjourned.

TUESDAY, NOVEMBER 9, 1920, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. M. P. Boynton, of the Woodlawn Baptist Church, of Chicago.

The Journal of Tuesday, September 21, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

The President, as chairman, laid before the Convention the following report from the Committee on Rules and Procedure, to-wit:

Committee Report.

Your Committee on Rules and Procedure respectfully suggests the adoption of the following schedule and order for consideration of committee reports in Committee of the Whole:

Beginning Tuesday morning, November 9th, committee reports in the following order:

1st: Revenue, Taxation and Finance.
2nd: Initiative, Referendum and Recall.
3rd: Judicial Department.
4th: Chicago and Cook County.

Upon agreement between the Delegates having under consideration of the subject of legislative apportionment, the foregoing schedule and calendar will yield place to conform with their report, for any specific time agreed upon by them.

Other committee reports and propositions remaining undisposed of will be put upon the calendar by subsequent order or when reached at the conclusion of the foregoing schedule.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Gale to the chair.

And at the hour of 10:10 o'clock a. m., the Convention went into Committee of the Whole for the consideration of the three reports from the Committee on Revenue, Taxation and Finance, being Proposals numbered 378, 380 and 381.

At the hour of 5:40 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Whitman from the Committee of the Whole reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

At the hour of 5:43 o'clock p. m., Mr. Trautmann moved that the Convention do now adjourn until 9:00 o'clock a. m., tomorrow.

The motion prevailed.

And the Convention stood adjourned.

WEDNESDAY, NOVEMBER 10, 1920, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. M. P. Boynton, of the Woodlawn Baptist Church, of Chicago.

The Journal of Monday, November 8, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

General Orders.

The Convention proceeding on the General Orders the President called Mr. Gale to the chair.

And at the hour of 9:05 o'clock A. M., the Convention went into Committee of the Whole, for the further consideration of the three reports from the Committee on Revenue, Taxation and Finance, being Proposals numbered 378, 380 and 381.

At the hour of 12:32 o'clock P. M., the Convention resumed its session.

The President presiding.

Mr. Whitman from the Committee of the Whole, reported that the Committee had made progress and asked leave to sit again.

And the report of the Committee was concurred in.

The President, as Chairman, laid before the Convention the following report from the Committee on Rules and Procedure, to-wit:

Committee Report.

Your Committee on Rules and Procedure recommends that upon the convening of the Convention tomorrow morning at nine o'clock, appropriate exercises in commemoration of Armistice Day be held and that General Davis, Captain Carlstrom and Lieutenant Six be invited to address the Convention at that time.

Your Committee further recommends that the President send invitations to the Grand Army of the Republic, Spanish American War Veterans, the Woman's Relief Corps, the American Legion, the Daughters of the American Revolution, the Chamber of Commerce of Springfield and all elective officers of the Executive Department of the State whose offices are in Springfield, to attend the exercises, and that, through the public press, an invitation be extended to the public generally to be present at such exercises.

The question being on the adoption of the report of the Committee.

It was decided in the affirmative.

At the hour of 12:35 o'clock P. M., Mr. Lindly moved that the Convention do now take a recess until 2:00 o'clock P. M.

And the motion prevailed.

2:00 o'Clock P. M.

The hour of 2:00 o'clock P. M. having arrived the Convention resumed its session.

The President presiding.

The Convention proceeding on the General Orders the President called Mr. Whitman to the chair.

And at the hour of 2:03 o'clock P. M., the Convention again went into Committee of the Whole, for the further consideration of the reports from the Committee on Revenue, Taxation and Finance.

At the hour of 6:32 o'clock P. M. the Convention resumed its session.

The President presiding.

Mr. Whitman, from the Committee of the Whole, reported that the Committee had made progress and asked leave to sit again.

And the report of the Committee was concurred in.

The Convention again proceeding on the Order of Reports of standing committees.

Mr. DeYoung submitted the following report:

Your Committee on Judicial Department to which was referred Proposals numbered 29, 56, 91, 132, 144, 222, 294, 317 and 324, and having heretofore, on July 1, reported the same back with a substitute therefor, being Proposal No. 379, now reports an additional Proposal as a substitute for all, being Proposal No. 383, a Proposal entitled Judicial Department.

And recommends that the same be placed on the General Orders.

(Signed) Frederic R. DeYoung,
Willard M. McEwen,
Sylvester J. Gee,
George A. Dupuy,
Charles S. Cutting,
A. F. Goodyear,
Henry I. Green,
D. E. Mack,
B. H. Garrett,

Committee.

The report of the committee was ordered printed and to lie on the table.

At the hour of 6:35 o'clock P. M., Mr. Sutherland moved that the Convention do now take a recess until 8:00 o'clock P. M.

Mr. DeYoung moved as a substitute that the Convention do now adjourn until 9:00 o'clock A. M., tomorrow.

The question being on the adoption of the substitute it was decided in the affirmative.

And the Convention stood adjourned.

THURSDAY, NOVEMBER 11, 1920, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. M. P. Boynton, of the Woodlawn Baptist Church, of Chicago.

The Journal of Tuesday, November 9, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

Special Exercises.

In accordance with the special order entered on yesterday, appropriate exercises were held in commemoration of Armistice Day during which the following Delegates addressed the Convention:

Captain Oscar E. Carlstrom.

General Abel Davis.

The Convention proceeding on the Order of Reports of Standing Committees:

Mr. Mack, from the Committee on Revenue, Taxation and Finance, submitted a minority report, being Proposal No. 384, a Proposal relative to sections 5, 6 and 7 of Proposal No. 383, entitled Judicial Department.

The report was ordered printed and to lie on the table.

At the hour of 12:32 o'clock p. m., Mr. Gale moved that the Convention do now take a recess until 2:00 o'clock p. m.

And the motion prevailed.

2:00 o'Clock P. M.

The hour of 2:00 o'clock p. m. having arrived, the Convention resumed its session.

The President presiding.

Mr. Gale moved that the amended section 1 of Proposal No. 378, together with the proposed substitute and all pending amendments, be recommitted to the Committee on Revenue, Taxation and Finance for further consideration.

And the motion prevailed.

The Convention again proceeding on the Order of Reports of Standing Committees.

Mr. Gale from the Committee on Revenue, Taxation and Finance reported back the following as a substitute for section 1 of Proposal No. 378:

Section 1. The power of taxation shall never be surrendered, suspended, or contracted away. All taxes shall be levied and collected under

general law and for public purposes only. The General Assembly shall provide for the levy of taxes upon property by valuation so that every person and corporation shall pay a tax in proportion to the value of his, her or its property, such value to be ascertained by some person or persons to be elected or appointed in such manner as the General Assembly shall direct and not otherwise.

Taxes may be levied also on incomes; if the income tax be graduated and progressive the highest rate shall not exceed six times the lowest rate; and not exceeding $500 to a person not the head of a family whose total net income is less than $1,000 and not exceeding $1,000 to the head of a family whose total net income is less than $2,000 may be exempted from income tax. Taxes levied by valuation upon property in this State and paid shall be deducted from the tax on income derived therefrom by the person or corporation paying such property tax.

In lieu of any property tax thereon, the General Assembly may provide a tax on income derived from any personal property in which case the rate of such income tax shall be a uniform real and substantial tax, and there shall be no exemptions therefrom except as provided in section 3 of this article.

Taxes may also be levied on privileges, franchises and occupations uniform as to class.

The above specifications of the objects and subjects of taxation shall not deprive the General Assembly of the power to require other objects or subjects to be taxed in such manner as may be consistent with the principles of taxation fixed in this Constitution.

The report of the committee was ordered printed and to lie on the table.

Mr. Gale called up the report of the Committee on Revenue, Taxation and Finance with reference to section 1 of Proposal No. 378, and the same having been printed, moved that it be placed on the General Orders.

And the motion prevailed.

Mr. Hamill raised the point of no quorum and thereupon a call of the Convention was had resulting as follows: Present 65.

Answering present: Messrs.

Barr	Dunlap	Hamill	Meinert	Shuey
Beckman	Dupuy, G. A.	Hogan	Mighell	Six
Brandon	Elting	Hull	Miller	Stewart
Brenholt	Fifer	Jack	Mills	Sutherland
Carlstrom	Frole	Jarman	Moore	Taff
Clarke	Fyke	Johnson, L. C.	Nichols	Tanner
Coolley	Gale	Johnson, W. A.	Paddock	Trautmann
Corcoran	Garrett	Kerrick	Parker	Wall
Cruden	Gee	Lill	Quinn	Warren
Davis	Gilbert	Lindly	Rinaker	Whitman
Dawes	Goodyear	Mack	Scanlan	Woodward.
De Young	Gray	McEwen	Shanahan	Mr. President
Dietz	Green	McGuire	Shaw	
Dove				Present—65.

Preceding the roll call the following delegates were excused from attendance at the Convention on account of sickness, Messrs: Chew, Traeger, Dryer, Sneed, Morris, Todd, Cutting, Gorman, Corlett and O'Brien.

The President announced that a quorum was present and called Mr. Whitman to the chair.

Whereupon at the hour of 2:20 o'clock p. m., the Convention went into Committee of the Whole for the further consideration of the reports of the Committee on Revenue, Taxation and Finance.

At the hour of 6:02 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Whitman from the Committee of the Whole reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

At the hour of 6:25 o'clock p. m., Mr. Green moved that the Convention do now adjourn until 9:00 o'clock a. m., tomorrow.

The motion prevailed.

And the Convention stood adjourned.

FRIDAY, NOVEMBER 12, 1920, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. M. P. Boynton, of the Woodlawn Baptist Church, of Chicago.

The Journal of Wednesday, November 10, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

General Orders.

The Convention proceeding on the General Orders the President called Mr. Whitman to the chair.

And at the hour of 9:15 o'clock a. m., the Convention went into Committee of the Whole, for the further consideration of the reports from the Committee on Revenue, Taxation and Finance.

At the hour of 12:47 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Whitman, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

By unanimous consent, upon their request, Messrs. Dupuy and Woodward were excused from attendance at the Convention on next Monday.

At the hour of 12:50 o'clock p. m., Mr. Gale moved that the Convention do now take a recess until 2:00 o'clock p. m.

Mr. Miller moved as a substitute that the Convention do now adjourn until Monday, November 15, 1920, at 3:00 o'clock p. m.

The motion prevailed.

The question being on the adoption of the substitute.

It was decided in the affirmative and the Convention stood adjourned.

MONDAY, NOVEMBER 15, 1920, 3:00 O'CLOCK P. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Abram G. Bergen, of the First Presbyterian Church, of Springfield.

The Journal of Thursday, November 11, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Whitman to the chair.

And at the hour of 3:20 o'clock p. m., the Convention went into Committee of the Whole for the further consideration of the reports from the Committee on Revenue, Taxation and Finance.

At the hour of 10:32 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Whitman from the Committee of the Whole, reported that the Committee had had under consideration sections 2 and 3 of Proposal No. 378 and recommended that section 2 of said Proposal be recommitted to the Committee on Revenue, Taxation and Finance for further consideration.

The report of the committee was concurred in and section 2 was recommitted to the Committee on Revenue, Taxation and Finance.

At the hour of 10:35 o'clock p. m., Mr. Hamill moved that the Convention do now adjourn until 9:00 o'clock a. m., tomorrow.

The motion prevailed.

And the Convention stood adjourned.

TUESDAY, NOVEMBER 16, 1920, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Abram G. Bergen, of the First Presbyterian Church, of Springfield.

The Journal of Friday, November 12, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Whitman to the chair.

And at the hour of 9:10 o'clock a. m., the Convention went into Committee of the Whole for the further consideration of the reports from the Committee on Revenue, Taxation and Finance.

At the hour of 5:22 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Whitman from the Committee of the Whole reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

At the hour of 5:35 o'clock p. m., Mr. Green moved that the Convention do now take a recess until 8:00 o'clock p. m.

Mr. Hamill moved as a substitute that the Convention do now adjourn until 9:00 o'clock a. m., tomorrow.

The question being on the adoption of the substitute motion a division was had resulting as follows: Yeas, 39; nays, 19.

The motion prevailed.

And the Convention stood adjourned.

WEDNESDAY, NOVEMBER 17, 1920, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Abram G. Bergen, of the First Presbyterian Church, of Springfield.

The Journal of Monday, November 15, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Whitman to the chair.

And at the hour of 9:05 o'clock a. m., the Convention went into Committee of the Whole for the further consideration of the reports from the Committee on Revenue, Taxation and Finance.

At the hour of 5:02 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Whitman, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

Mr. Latchford moved that the consideration of the report of the Committee on Initiative, Referendum and Recall next on the General Orders be postponed until Monday, November 22, 1920.

Mr. Hamill moved as a substitute that the consideration of the report of the Committee on Initiative, Referendum and Recall be postponed until the report of the Committee on Judicial Department is disposed of.

The question being on the adoption of the substitute motion, it was decided in the affirmative.

Geenral Orders.

The Convention proceeding on the General Orders, the President called Mr. DeYoung to the chair.

And at the hour of 5:10 o'clock p. m., the Convention again went into Committee of the Whole for the consideration of the reports from the Committee on Judicial Department, being Proposals numbered 383 and 384.

At the hour of 6:28 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Cutting, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

At the hour of 6:30 o'clock p. m., Mr. Sutherland moved that the Convention do now take a recess until 8:00 o'clock p. m.

Mr. Green moved as a substitute that the Convention do now adjourn until 9:00 o'clock a. m. tomorrow.

The question being on the adoption of the substitute.

It was decided in the affirmative.

And the Convention stood adjourned.

THURSDAY, NOVEMBER 18, 1920, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Abram G. Bergen, of the First Presbyterian Church, of Springfield.

The Journal of Tuesday, November 16, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Cutting to the chair.

And at the hour of 9:05 o'clock a. m., the Convention went into Committee of the Whole, for the further consideration of the reports from the Committee on Judicial Department, being Proposals numbered 383 and 384.

At the hour of 7:06 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Cutting, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

The Convention again proceeding on the Order of Reports of Standing Committees:

Mr. Hull submitted the following report:

Your Committee on Chicago and Cook County, to which was referred Proposals numbered 21, 22, 55, 111, 159, 178, 290, 296, 330.

Reports the same back with a substitute therefor, being Proposal No. 385, a proposal concerning Chicago and Cook County.

And recommends that the original proposals, above enumerated, be rejected, and that the substitute Proposal No. 385, be placed on the General Orders.

(Signed) Morton D. Hull,
Amos C. Miller,
Douglas Sutherland,
Charles Woodward,
W. A. Wall,
A. M. Smith,
Frank J. Quinn,
Oscar E. Carlstrom,
John E. Traeger,
Elam L. Clarke,
Committee.

The report of the committee was ordered printed and to lie on the table.

At the hour of 7:07 o'clock p. m., Mr. Green moved that the Convention do now adjourn until 3:00 o'clock p. m., Monday, November 22, 1920.

MONDAY, NOVEMBER 22, 1920, 3:00 O'CLOCK P. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. W. S. Phillips, of the Methodist Episcopal Church, of Carlinville.

The Journal of Wednesday, November 17, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Cutting to the chair.

And at the hour of 3:10 o'clock p. m., the Convention went into Committee of the Whole, for the further consideration of the reports from the Committee on Judicial Department, being Proposals numbered 383 and 384.

At the hour of 4:02 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. DeYoung, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Dove to the chair.

And at the hour of 4:05 o'clock p. m., the Convention again went into Committee of the Whole for the consideration of the reports from the Committee on Initiative, Referendum and Recall being Proposals numbered 367, 368, 371, and the report of Mr. Dove presented May 20.

At the hour of 11:10 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Dove from the Committee of the Whole reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

Mr. Shanahan moved that when the Convention adjourns today, it stand adjourned until 9:00 o'clock a. m., tomorrow.

And the motion prevailed.

Mr. Dupuy offered the following resolution and move its adoption:

Resolution No. 32.

Whereas, The Convention has learned this day of the death of the beloved wife of Mr. Charles S. Cutting, a delegate to this Convention; therefore, be it

Resolved, That we hereby express to Mr. Cutting our profound sorrow at the loss of his beloved wife and extend to him and to the members of his bereaved family our deep and earnest sympathy; and, be it further

Resolved, That this memorial be entered upon the records of the Convention; that a suitably engrossed copy be transmitted to Mr. Cutting and as a further mark of respect that the Convention do now adjourn.

The resolution was unanimously adopted by a rising vote and in accordance with the motion heretofore adopted the Convention stood adjourned until 9:00 o'clock a. m., tomorrow.

TUESDAY, NOVEMBER 23, 1920, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. W. S. Phillips, of the Methodist Episcopal Church, of Carlinville.

The Journal of Thursday, November 18, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Dove to the chair.

And at the hour of 9:15 o'clock a. m., the Convention went into Committee of the Whole, for the further consideration of the reports from the Committee on Inititative, Referendum and Recall being Proposals numbered 367, 368, 371 and the report presented by Mr. Dove on May 20.

At the hour of 10:42 o'clock a. m., the Convention resumed its session.

The President presiding.

Mr. Dove from the Committee of the Whole reported that the committee recommended the rejection of Proposals numbered 367, 368 and 371 and the adoption of the minority report submitted to the Convention on May 20, 1920, which report is in words as follows: "That no Proposal or provision for the Initiative, Referendum and Recall be incorporated in the Constitution of 1920."

And the question being on the adoption of the report of the Committe of the Whole, a call of the roll was had, resulting as follows: Yeas, 54; nays, 21.

Those voting in the affirmative are: Messrs.

Barr	Dupuy, G. A.	Hollenbeck	Meinert	Shaw
Brenholt	Fifer	Hull	Mighell	Sutherland
Brewster	Fyke	Ireland	Miller	Taff
Carey	Gale	Jack	Mills	Tanner
Coolley	Gee	Jarman	Moore	Todd
Corlett	Gilbert	Johnson, L. C.	Nichols	Trautmann
Cruden	Goodyear	Johnson, W. A.	Paddock	Wall
Dawes	Gray	Kerrick	Parker	Warren
De Young	Green	Lill	Quinn	Wilson
Dove	Hamill	Lindly	Rinaker	Mr. President
Dunlap	Hogan	McGuire	Shanahan	

Yeas—54.

Those voting in the negative are: Messrs.

Baldwin	Elting	Kunde	Michaelson	Scanlan
Carlstrom	Frole	Latchford	O'Brien	Traeger
Clarke	Ganschow	Lohman	Pincus	Whitman
Corcoran	Iarussi	McEwen	Potts	Wolff
Dupee, E. H.				

Nays—21.

And the report was adopted.

Mr. Michaelson, thereupon, moved that the Convention do now adjourn *sine die.*

And on that motion a call of the roll was had, resulting as follows: Yeas, 9; nays, 65.

Those voting in the affirmative are: Messrs.

Corcoran	Ganschow	Kunde	Michaelson	Wolff
Frole	Iarussi	Lohman	Potts	

Yeas—9.

Those voting in the negative are: Messrs.

Baldwin	Dunlap	Hogan	McGuire	Shanahan
Barr	Dupee, E. H.	Hollenbeck	Meinert	Shaw
Brenholt	Dupuy, G. A.	Hull	Mighell	Sutherland
Brewster	Elting	Ireland	Miller	Taff
Carey	Fifer	Jack	Mills	Tanner
Carlstrom	Fyke	Jarman	Moore	Todd
Clarke	Gale	Johnson, L. C.	Nichols	Traeger
Coolley	Gee	Johnson, W. A.	O'Brien	Trautmann
Corlett	Gilbert	Kerrick	Paddock	Wall
Cruden	Goodyear	Latchford	Parker	Warren
Dawes	Gray	Lill	Quinn	Whitman
De Young	Green	Lindly	Rinaker	Wilson
Dove	Hamill	McEwen	Scanlan	Mr. President

Nays—65.

And the motion was lost.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Hull to the chair.

And at the hour of 10:55 o'clock a. m., the Convention again went into Committee of the Whole for the consideration of the report from the committee on Chicago and Cook County being Proposal No. 385.

At the hour of 6:02 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Wilson, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

The Convention again proceeding on the Order of Reports of Standing Committees.

Mr. Dupuy submitted the following report:

Your Committee on Schedule, to which was referred Proposal numbered 297 entitled, a Proposal to amend Schedule of Constitution of 1870.

Reports the same back, and recommends that it be rejected.

(Signed) George A. Dupuy.
Phillip E. Elting.
A. E. Taff.
W. E. Trautmann,
A. H. Mills.
Committee.

The report of the committee was ordered printed and to lie on the table.

At the hour of 6:05 o'clock p. m., Mr. Hamill moved that the Convention do now adjourn until 9:00 o'clock a. m., tomorrow.

The motion prevailed.

And the Convention stood adjourned.

WEDNESDAY, NOVEMBER 24, 1920, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. W. S. Phillips, of the Methodist Episcopal Church, of Carlinville.

The Journal of Monday, November 22, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Wilson to the chair.

And at the hour of 9:25 o'clock a. m., the Convention went into Committee of the Whole, for the further consideration of the report from the Committee on Chicago and Cook County, being Proposal No. 385.

At the hour of 10:55 o'clock a. m., the Convention resumed its session.

The President presiding.

Mr. Wilson, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

The Convention again proceeding on the Order of Reports of Standing Committees:

Mr. Hamill submitted the following report:

Your Committee on Phraseology and Style, to which was referred a proposal regulating warehouses (Introduction No. 372, Reference No. 11) as amended in Committee of the Whole, respectfully reports that it has considered such proposal and herewith sets forth in parallel columns said proposal as adopted in Committee of the Whole on the left and a substitute therefor as recommended by this committee on the right.

Resolved, That the following shall become a part of the Constitution of Illinois:

Section 1. All elevators or storehouses where grain or other property is stored for a compensation, whether the property stored be kept separate or not, are declared to be public warehouses.	Section 1. Elevators and storehouses where property is stored for compensation are public warehouses.
Section 2. The owner, lessee or manager of each and every public warehouse situated in any town or city of not less than one hundred thousand inhabitants, shall make weekly statements under oath, before some officer to be designated by law, and keep the same posted in some conspicuous place in the office	Section 2. The manager of every public warehouse in cities of over one hundred thousand inhabitants shall post conspicuously each week, in the office of the warehouse, a sworn statement of the amount and grade of grain and also of the other property stored therein, and of the warehouse receipts outstanding, and

of such warehouse, and shall also file a copy for public examination in such place as shall be designated by law, which statement shall correctly set forth the amount and grade of each and every kind of grain in such warehouse, together with such other property as may be stored therein, and what warehouse receipts have been issued, and are, at the time of making such statement, outstanding therefor; and shall, on the copy posted in the warehouse, note daily such changes as may be made in the quantity and grade of grain in such warehouse; and the different grades of grain shipped in separate lots, shall not be mixed with inferior or superior grades, without the consent of the owner or consignee thereof.

shall file a copy of the statement in a place designated by law. Changes in quantity and grade of grain stored shall be noted daily upon the statement in the warehouse. Unless the owner or consignee consents, different grades of grain shipped in separate lots shall not be mixed.

Section 3. The owners of property stored in any warehouse, or holder of a receipt for the same, shall always be at liberty to examine such property stored, and all the books and records of the warehouse in regard to such property.

Section 3. The holder of a public warehouse receipt may always examine the property and the warehouse records thereof.

Section 4. All railroad companies and other common carriers on railroads shall weigh or measure grain at points where it is shipped, and receipt for the full amount, and shall be responsible for the delivery of such amount to the owner or consignee thereof, at the place of destination.

Section 4. Railroads and common carriers thereon shall, at the point of shipment, weigh or measure, and receipt for, the full amount of grain and deliver it to the consignee or owner.

Section 5. All railroad companies receiving and transporting grain in bulk or otherwise, shall deliver the same to any consignee thereof, or any elevator or public warehouse to which it may be consigned, provided such consignee at the elevator or public warehouse can be reached by any track owned, leased or used, or which can be used, by such railroad companies and all railroad companies shall permit connections to be made with their track, so that any such consignee, and any public warehouse, coal bank or coal yard may be reached by the cars on said railroad.

Section 5. Railroads shall deliver grain to any consignee who can be reached by an available track, and shall permit connections so that any public warehouse, coal bank or coal yard may be reached by cars.

Section 6. It shall be the duty of the General Assemoly to pass all necessary laws to prevent the issue of false and fraudulent warehouse receipts, and to give full effect to this article of the Constitution, which shall be liberally construed, so as to

Sections 6 and 7 combined. The General Assembly shall give full effect to this article and provide for the inspection of grain and produce, the protection of producers, shippers, consumers and others interested, and the prevention of fraudu-

protect producers, shippers, consumers and others interested, and the enumeration of the remedies herein named shall not be construed to deny to the General Assembly the power to prescribe by law such other and further remedies as may be found expedient, or to deprive any person of existing common law remedies.

Section 7. The General Assembly shall pass laws for the inspection of grain and produce and for the protection of producers, shippers, receivers and consumers of grain and produce.

lent warehouse receipts. Nothing in this article implies a limitation upon the power of the General Assembly or abridges common law remedies.

Respectfully submitted,

CHARLES H. HAMILL,
GEORGE A. BARR,
THOS. RINAKER,
C. B. T. MOORE,
ELAM L. CLARKE,
EUGENE DUPEE,

Committee on Phraseology and Style.

The report of the committee was ordered printed and Proposal No. 372 was placed on the order of second reading.

Mr. Hamill submitted the further report:

Your Committee on Phraseology and Style, to which was referred a proposal to provide for the separation of the government into three departments (Introduction No. 358, Reference No. 5) as amended in Committee of the Whole, respectfully reports that it has considered such proposal and herewith sets forth in parallel columns said proposal as adopted in Committee of the Whole on the left, and a substitute therefor as recommended by this committee on the right.

Resolved, That the following shall become a part of the Constitution of Illinois:

ARTICLE 3—DISTRIBUTION OF POWERS.

The powers of the government of this State are divided into three distinct departments—the legislative, executive and judicial; and no person, or collection of persons, being one of these departments, shall exercise any power properly belonging to either of the others, except as hereinafter expressly directed or permitted.

The legislative, executive and judicial departments shall be separate, and no one of them shall exercise powers properly belonging to another.

Respectfully submitted,

CHAS. H. HAMILL,
GEORGE A. BARR,
THOS. RINAKER,
C. B. T. MOORE,
ELAM L. CLARKE,
EUGENE DUPEE,

Committee on Phraseology and Style.

The report of the committee was ordered printed and Proposal No. 358 was placed on the order of second reading.

At the hour of 11:05 o'clock a. m., Mr. Hamill moved that the Convention do now adjourn until Monday, November 29, 1920, at 3:00 o'clock p. m.

The motion prevailed.

And the Convention stood adjourned.

MONDAY, NOVEMBER 29, 1920, 3:00 O'CLOCK P. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Herbert Hines, of the Baptist Church, of El Paso.

The Journal of Tuesday, November 23, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Wilson to the chair.

And at the hour of 3:30 o'clock p. m., the Convention went into Committee of the Whole for the further consideration of the report from the Committee on Chicago and Cook County, being Proposal No. 385.

At the hour of 11:22 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Wilson, from the Committee of the Whole, having had under consideration Proposal No. 385, being the report from the Committee on Chicago and Cook County, reported the same back together with the following amendments thereto, to-wit:

Amend section 1 by striking out the first six words in line 1 and inserting in lieu thereof the words "except as expressly limited by law" and striking out all after the word "purposes" in line 3 down to and including the word "law" in line 6.

Amend section 2 by changing the word "laws" in line 16 to read "statutes."

Amend section 2 by striking out in line 17 the words "not be in conflict with" and insecting in lieu thereof the words "conform to the."

Amend section 4 by inserting in line 2 after the words "to sell" the words "the same or," also by adding at the end of line 3 the following "but may be reasonably regulated by general law."

Amend section 5 by striking out in line 2 the word "acquisition" and in line 3 the words "ownership, leasing, maintenance and operation of public or" and all of line 4. Insert before the word "local" the word "of" in line 3.

Amend section 6 by striking out in line 2 the words "government or to the" and inserting in lieu thereof the words "Governmental" and also in line 5 by striking out the words "governmental or the" and inserting "Governmental."

Amend section 13 by striking out the period after the figures "1915" in line 7 and inserting the following "or any amendment thereof."

Amend section 17 by inserting before the words "The General Assembly" in line 1 the following "subject to sections 8, 9, 10, 11 and 12 of the Revenue Article."

Amend section 17 by adding thereto a new paragraph to read as follows: "Such an ordinance shall not be adopted oftener than once in ten years and the maximum limit of indebtedness when so extended shall never exceed ten per cent of the full value of taxable property within the cor-

porate limits of the city of Chicago as ascertained by the last assessment for State and county taxes."

Amend section 17 by adding thereto a second new paragraph to read as follows: "Such an ordinance if rejected shall not be resubmitted within two years from the date of such original submission."

Amend section 17 by adding thereto a third new paragraph to read as follows:

"The limit of special indebtedness made possible under sections 9, 10 and 11 of the Revenue Article shall in no case be increased under the provisions of this section."

Amend section 17 in line 2 after the word "Chicago" by adding the following "after the consolidation with said city of all of the municipal corporations lying wholly or partly within said city."

Amend section 2 of article 2 by striking out in lines 3 and 4 the words "who shall be clerk of the County Court."

Amend section 4 by striking out in lines 3 the following words "received by any county officer."

Amend section 4 by inserting after the word "treasurer" in line 4 the words "at least monthly."

Amend section 5 by striking out in line 1 the words "a semi-annual" and by inserting the words "at least semi-annually" after the word "oath" in line 2.

Amend section 8 by inserting after the word "law" in line 23 the words "enacted thereafter."

And recommended that the Proposal, as amended, do pass.

The question being on the adoption of the report of the committee, a call of the roll was had resulting as follows: Yeas, 38; nays, 4.

Those voting in the affirmative are: Messrs.

Barr	Dove	Hull	Mighell	Smith
Brenholt	Dunlap	Jack	Miller	Sutherland
Brewster	Gale	Jarman	Mills	Taff
Clarke	Ganschow	Kunde	Moore	Traeger
Coolley	Gilbert	Latchford	Morris	Trautmann
Cruden	Hamill	Lindly	Shanahan	Warren
Cutting	Hogan	McEwen	Shuey	Mr. President
Dawes	Hollenbeck	Meinert		Total—38.

Those voting in the negative are: Messrs.

Green	Mayer	Rinaker	Wilson	Total—4.

The report of the committee was adopted.

And Proposal No. 385 was referred to the Committee on Phraseology and Style.

At the hour of 11:25 o'clock p. m., Mr. Mighell moved that the Convention do now adjourn until 9:00 o'clock a. m., tomorrow.

The motion prevailed.

And the Convention stood adjourned.

TUESDAY, NOVEMBER 30, 1920, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Herbert Hines, of the Baptist Church, of El Paso.

The Journal of Wednesday, November 24, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. DeYoung to the chair.

And at the hour of 9:10 o'clock a. m., the Convention went into Committee of the Whole for the further consideration of the reports from the Committee on Judicial Department being Proposals numbered 383 and 384.

At the hour of 5:32 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Cutting, from the Committee of the Whole, reported that the committee had considered all matters referred to it in reference to Proposals numbered 383 and 384 and recommended that sections 6 and 7 of the majority and minority report and the three proposed amendments offered by Messrs. Jarman, Michal and Miller be committed to the Committee on Judicial Department for further consideration and recommendation.

And the report of the committee was concurred in.

Mr. Michal moved that Chief Justice Olson of the Municipal Court of the city of Chicago be invited to address the Committee of the Whole regarding the Judicial Article.

And the motion was lost.

At the hour of 5:40 o'clock p. m., Mr. Hamill moved that the Convention do now adjourn until 9:00 o'clock a. m., tomorrow.

The motion prevailed.

And the Convention stood adjourned.

WEDNESDAY, DECEMBER 1, 1920, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Herbert Hines, of the Baptist Church, of El Paso.

The Journal of Monday, November 29, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The President, as chairman, laid before the Convention the following report from the Committee on Rules and Procedure, to-wit:

Committee Report.

Your Committee on Rules and Procedure respectfully recommends that Proposal No. 355, being a report from the Committee on Agriculture, Proposals numbered 224 and 382 being reports from the Committee on Miscellaneous Subjects and Proposal No. 297 being a report from the Committee on Schedule, be taken from the table and placed on General Orders for consideration in Committee of the Whole.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

Mr. Lindly moved that consideration in Committee of the Whole on the report of the Committee on Legislative Department, on Proposal No. 366, which had been set for this morning be postponed until 2:00 o'clock p. m., today.

And the motion prevailed.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. O'Brien to the chair.

And at the hour of 10:00 o'clock a. m., the Convention went into Committee of the whole for the consideration of matters on the General Orders.

At the hour of 10:45 o'clock a. m., the Convention resumed its session.

The President presiding.

Mr. Brandon, from the Committee of the Whole reported that the committee had had under consideration Proposals numbered 382, 297, 224 and 342 and recommended that Proposals numbered 224, 342 and 297 be rejected and that Proposal No. 382 do pass.

And the report of the committee was concurred in and Proposal number 382 referred to the Committee on Phraseology and Style.

Mr. Brandon further reported that the Committee of the Whole recommended to the Convention that the Attorney General be requested to render an opinion in reference to Proposal No. 382.

And the report of the committee was concurred in.

The Convention again proceeding on the Order of Reports of Standing Committees:

Mr. Gale submitted the following report:

Your Committee on Revenue, Taxation and Finance, to which section 2 of the proposed revenue article was recommitted respectfully reports the following section as section 2 of the revenue article, and recommends its adoption:

The income tax herein authorized shall be levied and collected by some State authority; all income taxes collected from within each county shall be apportioned and divided between the State and the county in the same proportion as the real estate taxes collected within the county for the same year is divided between the State and the county, and the income tax so apportioned to any county shall be apportioned and divided between the county and all the taxing authorities within the county, in the same proportion as all the real estate taxes collected within the county for the same year is apportioned and divided between the county and all the taxing authorities within the county for the same year.

The report of the committee was ordered printed and to lie on the table.

Mr. Gale moved that the report of the Committee on Revenue, Taxation and Finance on section 2 be placed on the General Orders.

And the motion prevailed.

At the hour of 10:50 o'clock a. m., Mr. Hamill moved that the Convention do now take a recess until 2:00 o'clock p. m., today.

And the motion prevailed.

2:00 o'Clock P. M.

The hour of 2:00 o'clock p. m., having arrived, the Convention resumed its session.

The President presiding.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Shanahan to the chair.

And at the hour of 2:05 o'clock p. m., the Convention went into Committee of the Whole for the further consideration of the report from the Committee on Legislative Department, being Proposal No. 366.

At the hour of 5:47 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Shanahan, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

At the hour of 5:50 o'clock p. m., Mr. Davis moved that the Convention do now adjourn until 9:00 o'clock a. m., tomorrow.

The motion prevailed.

And the Convention stood adjourned.

THURSDAY, DECEMBER 2, 1920, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Herbert Hines, of the Baptist Church, of El Paso.

The Journal of Tuesday, November 30, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Shanahan to the chair.

And at the hour of 9:15 o'clock a. m., the Convention went into Committee of the Whole for the further consideration of the report from the Committee on Legislative Department, being Proposal No. 366.

At the hour of 2:00 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Shanahan, from the Committee of the Whole, having had under consideration Proposal No. 366, on a re-consideration of sections 6 and 7 thereof, reported the same back with the following amendments thereto.

Amend sections 6 and 7 of Proposal No. 366 to read as follows:

Section 6. The General Assembly shall apportion the State at any session which may be then pending, of, if none, then at its first session following the adoption of this Constitution and in the year 1931 and every ten (10) years thereafter, into fifty-seven (57) senatorial districts, each of which shall elect one senator whose term of office shall be four (4) years and the basis of senatorial apportionment shall be the number of voters who voted for Governor at the last regular election at which a Governor was elected previous to the apportionment.

The territory now constituting the county of Cook shall be divided by the General Assembly into nineteen (19) senatorial districts and the number of such voters in that territory shall be divided by the number nineteen (19) and the quotient shall be the ratio of representation in the Senate for that territory.

The territory now constituting the remainder of the State shall be divided by the General Assembly into thirty-eight (38) senatorial districts and the number of such voters in that territory shall be divided by the number thirty-eight (38) and the quotient shall be the ratio of representation in the Senate for that territory.

When a county contains two (2) or more ratios of its territory it shall be divided by the General Assembly into as many senatorial districts as it

has such ratios. Districts in counties so divided shall be bounded by precinct or ward lines, or both; all other senatorial districts shall be bounded by county lines.

All senatorial districts shall be formed of compact and contiguous territory and the districts in each territory shall contain as nearly as practicable an equal number of such electors but in no case less than four-fifth (⅘) of the ratio for that territory.

Senators shall be so elected that the term of those now in office shall not be disturbed. They shall be divided into two classes so that one-half as nearly as practicable shall be chosen biennially.

Section 7. At the same time that the senatorial apportionment is made the State shall be apportioned into representative districts.

Members of the House of Representatives shall be elected for the term of two (2) years from each county or district.

Each county shall be entitled to one representative in the House of Representatives. Each county having a population in excess of fifty thousand (50,000) shall have one additional representative for each additional fifty thousand (50,000) population, or major fraction thereof.

Each county entitled to more than one representative shall be divided by the General Assembly into as many representative districts as there are representatives to be elected from such county. Such districts shall be formed of compact and contiguous territory bounded by precinct lines and containing as nearly as practicable an equal number of inhabitants but in no case less than four-fifths (⅘) of the quotient resulting from dividing the population of that county by the number of representatives to which it is entitled.

And recommended that the Proposal, as amended, be adopted.

Mr. Dove called attention to the absence of his colleague Mr. Chew who was ill and requested that his vote be recorded in the affirmative.

Objections being raised by Mr. Hull to the recording of the vote.

The request was not granted.

The question being on the adoption of the report of the committee, a call of the roll was had resulting as follows: Yeas, 56; nays, 27.

Those voting in the affirmative are: Messrs.

Barr	Fifer	Jack	Moore	Stahl
Brenholt	Gale	Jarman	Nichols	Stewart
Brewster	Garrett	Johnson, L. C.	Paddock	Taff
Carlstrom	Gee	Johnson, W. A.	Parker	Tanner
Clarke	Gilbert	Kerrick	Rinaker	Todd
Coolley	Goodyear	Lill	Scanlan	Torrance
Corlett	Gray	Lindly	Shaw	Trautmann
Dietz	Green	Mack	Shuey	Wall
Dove	Hogan	Meinert	Six	Warren
Dryer	Hollenbeck	Mighell	Smith	Whitman
Dunlap	Ireland	Mills	Sneed	Mr. President
Elting				Yeas—56.

Those voting in the negative are: Messrs.

Beckman	De Young	Iarussi	Michal	Sutherland
Corcoran	Dupee, E. H.	Kunde	Miller	Traeger
Cruden	Dupuy, G. A.	Latchford	Morris	Wilson
Cutting	Ganschow	Mayer	Pincus	Wolff
Davis	Hamill	McEwen	Shanahan	Woodward.
Dawes	Hull			Nays—27.

The report of the committee was concurred in and Proposal No. 366 was again referred to the Committee on Phraseology and Style.

Mr. Shanahan, from the Committee of the Whole, submitted the further report:

The Committee of the Whole recommends to the Convention the adoption of the following resolution and requests that it be referred to the Committee on Schedule.

Resolved, That there be submitted to the voters of the State as an alternative proposition to be voted upon separately and become effective only as a substitute for section 7 of the Article on Legislative Department, if the Constitution shall be adopted, and if such substitute be also adopted, as shall be provided in the Article on Schedule, the following:

Section 7. The General Assembly, whenever the State shall be apportioned into senatorial districts, shall apportion the State by dividing the population of the State, as ascertained by the (last preceding) Federal census, by the number one hundred fifty-three, and the quotient shall be the ratio of representation in the House of Representatives.

The State shall be divided into one hundred and fifty-three representative districts, each of which shall elect one representative, whose term of office shall be two years. Representative districts shall be formed of contiguous and compact territories bounded by county lines, and contain, as nearly as practicable, an equal number of inhabitants; but no district shall contain less than four-fifths of the representative ratio.

Counties containing not less than the ratio and three-fourths shall be divided into separate districts and shall be entitled to two representatives and to one additional representative for each number of inhabitants equal to the ratio contained by such counties in excess of twice the number of said ratio.

The question being on the adoption of the report of the committee, a call of the roll was had resulting as follows: Yeas, 58; nays, 22.

Those voting in the affirmative are: Messrs.

Barr	Dryer	Hogan	Moore	Stewart
Beckman	Dunlap	Hollenbeck	Nichols	Sutherland
Brenholt	Dupuy, G. A.	Jack	Paddock	Taff
Brewster	Elting	Jarman	Parker	Tanner
Carlstrom	Fifer	Johnson, L. C.	Rinaker	Todd
Clarke	Gale	Johnson, W. A.	Shaw	Torrance
Coolley	Garrett	Kerrick	Shuey	Trautmann
Corlett	Gee	Lill	Six	Wall
Cruden	Gilbert	Lindly	Smith	Warren
Cutting	Goodyear	Mack	Sneed	Whitman
Dietz	Gray	Mighell	Stahl	Mr. President
Dove	Green	Mills		Yeas—58.

Those voting in the negative are: Messrs.

Corcoran	Hamill	Latchford	Michal	Shanahan
Davis	Hull	Mayer	Miller	Traeger
De Young	Iarussi	McEwen	Morris	Wolff
Dupee, E. H.	Ireland	Meinert	Pincus	Woodward.
Ganschow	Kunde			Nays—22.

The report of the committee was concurred and the resolution referred to the Committee on Schedule.

At the hour of 2:15 o'clock p. m., Mr. Gale moved that the Convention do now adjourn until 3:00 o'clock p. m., Monday, December 6, 1920.

The motion prevailed.

And the Convention stood adjourned.

MONDAY, DECEMBER 6, 1920, 3:00 O'CLOCK P. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Willis Ray Wilson, of the Methodist Episcopal Church, of Prophetstown.

The Journal of Wednesday, December 1, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Tanner to the chair.

And at the hour of 3:30 o'clock p. m., the Convention went into Committee of the Whole for the consideration of the report from the Committee on Agriculture in relation to forestry, being Proposal No. 355.

At the hour of 5:02 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Tanner, from the Committee of the Whole, reported that the Committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

At the hour of 5:05 o'clock p. m., Mr. Sutherland moved that the Convention do now take a recess until 8:00 o'clock p. m.

Mr. Mighell moved as a substitute that the Convention do now adjourn until 9:00 o'clock a. m., tomorrow.

The substitute motion prevailed.

And the Convention stood adjourned.

TUESDAY, DECEMBER 7, 1920, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Willis Ray Wilson, of the Methodist Episcopal Church, of Prophetstown.

The Journal of Thursday, December 2, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up.

Whereupon, Mr. Whitman moved to correct the hour at which the Convention stood adjourned to read 2:15 o'clock a. m., Friday, December 3, instead of 11:55 o'clock p. m., Thursday, December 2.

And the motion prevailed.

There being no further corrections, the Journal was ordered to stand approved.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Tanner to the chair.

And at the hour of 9:50 o'clock a. m., the Convention went into Committee of the Whole for the further consideration of the report from the Committee on Agriculture, in relation to Forestry, being Proposal No. 355.

At the hour of 11:15 o'clock a. m., the Convention resumed its session.

The President presiding.

Mr. Tanner, from the Committee of the Whole, having had under consideration Proposal No. 355, in relation to Forestry, reported the same back, together with the following amendments thereto, to-wit:

Amend Proposal No. 355 to read as follows:

Resolved, That the following shall become a part of the Constitution of Illinois: Sec. — The General Assembly shall pass laws for the encouragement of forestry, and may classify for taxation areas devoted to forests and forest culture.

And recommended that the Proposal as amended do pass.

The report of the committee was concurred in and Proposal No. 355, referred to the Committee on Phraseology and Style.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Rinaker to the chair.

And at the hour of 11:20 o'clock a. m., the Convention again went into Committee of the Whole for the consideration of Proposal No. 129

reported from the Committee on Bill of Rights with the recommendation that it be made a part of the proposed Constitution.

At the hour of 3:57 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Rinaker, from the Committee of the Whole, having had under consideration Proposal No. 129, reported that the Committee of the Whole recommended to the Convention that the Proposal be rejected.

Whereupon, Mr. Gale offered the following as a substitute for the report of the Committee of the Whole, and moved its adoption:

Resolved, That the following shall become a part of the Constitution of Illinois:

No law shall require primary elections except for county officials or for delegates to nominating conventions.

Mr. Hull raised the point of order that the substitute was not in order.

And the point of order was sustained by the Chair.

Mr. Gale thereupon appealed from the decision of the Chair.

And the question being, "Shall the decision of the Chair stand as the decision of the Convention?"

It was decided in the affirmative.

The question recurring on the adoption of the report of the Committee of the Whole offered by Mr. Rinaker.

It was decided in the affirmative, and Proposal No. 129 was rejected.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Whitman to the chair.

And at the hour of 4:00 o'clock p. m., the Convention again went into Committee of the Whole for the further consideration of the report from the Committee on Revenue, Taxation and Finance, being Proposal No. 378.

At the hour of 4:57 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Whitman, from the Committee of the Whole, reported that the Committee had had under consideration the reports from the Committee on Revenue, Taxation and Finance, being Proposals numbered 378, 380 and 381, and reported back Proposal No. 378, together with the following amendments thereto, to-wit:

Amend Proposal No. 378 by substituting in lieu of Section 1 the following:

Section 1. The power of taxation shall never be surrendered, suspended, or contracted away. All taxes shall be levied and collected under general law and for public purposes only. The General Assembly shall provide for the levy of taxes upon property by valuation so that every person and corporation shall pay a tax in proportion to the value of his, her or its property, such value to be ascertained by some person or persons to be elected or appointed in such manner as the General Assembly shall direct and not otherwise.

Taxes may be levied also on incomes; if the income tax be graduated and progressive the highest rate shall not exceed four times the lowest rate;

and not exceeding $500 to a person not the head of a family whose total net income is less than $1000 and not exceeding $1000 to the head of a family whose total net income is less than $2000 may be exempted from income tax. Taxes levied by valuation upon property in this State and paid shall be deducted from the tax on income derived therefrom by the person or corporation paying such property tax.

In lieu of any property tax thereon, the General Assembly may provide a uniform tax on all income derived from intangible property in which case the rate of such income tax shall be a uniform real and substantial tax, and there shall be no exemptions therefrom except as provided in Section 3 of this Article.

Taxes may also be levied on privileges, franchises and occupations uniform as to class.

The above specifications of the objects and subjects of taxation shall not deprive the General Assembly of the power to require other objects or subjects to be taxed in such manner as may be consistent with the principles of taxation fixed in this Constitution.

Amend Proposal No. 378 by substituting the following for Section 2:

The income tax herein authorized shall be levied and collected by some State authority; all income taxes collected from within each county shall be apportioned and divided between the State and the county in the same proportion as the real estate taxes extended within the county for the same year are divided between the State and the county, and the income tax so apportioned to any county shall be apportioned and divided between the county and all the taxing authorities within the county, in the same proportion as all the real estate taxes extended within the county for the same year are apportioned and divided between the county and all the taxing authorities within the county for the same year.

Amend Proposal No. 378 by substituting the following for Section 3 as amended:

The property of the State, counties and other municipal corporations both real and personel, household furniture actually in use as such to the extent of five hundred dollars in value, and such other property as may be used exclusively for agricultural, and horticultural societies, for incorporated societies of war veterans, for school, religious, cemetery and charitable purposes including parsonages owned and occupied as such by religious organizations entitled to exemptions under this section, may be exempted from taxation, but such exemptions shall be only by general law. In the assessment of real estate incumbered by public easement any depreciation occasioned by such easement may be deducted in the valuation of such property.

Amend Proposal No. 378 by substituting the following in lieu of Section 4:

No sale of real estate for delinquent taxes and special assessments shall be made except upon a judgment of a court of record after notice to the owner and not less than two years shall be allowed the owner and parties interested, to redeem from the sale and there shall be no such sale except on application of and conducted by the county treasurer. But the legislature may provide for enforcing the lien of such taxes or assessments by a proceeding in the nature of a foreclosure in equity after the period of redemption has expired.

Amend Section 6 in line 2 by adding after the word "village" the following "and Park Districts."

Amend Section 6 in line 3 by inserting after the word "assessment" the word "or."

Amend Section 7 by inserting in line 4 after the word "taxes" the parenthesis and the words "(but not taxes upon income)" and in line 5 after the word "taxes" the parenthesis and words "(but not taxes upon income)."

Amend Proposal No. 378 by adding three new sections thereto to be known as Sections 9, 10 and 11 to read as follows:

Section 9. For the purposes (or any one or more of them) of acquiring, constructing, owning, leasing, maintaining, and operating such income-producing properties as it is by law authorized to own or operate (or to own and operate) for the supply of transportation, communication, light, heat, power, water (or any of them) the General Assembly may by general law authorize any city to issue interest-bearing bonds, in excess of any limitation of indebtedness otherwise prescribed in this Constitution, to an amount not at any time exceeding in the aggregate fifteen per centum on the full value of the taxable real property therein, to be ascertained by the last assessment for State and county purposes previous to the issuance of such bonds. Any city issuing such bond shall, before or at the time of doing so, provide for the collection of a direct annual tax sufficient to pay the interest thereon as it falls due and also to pay and discharge the principal thereof within thirty years from the date thereof.

Section 10. Unless otherwise provided in the Act of any city, authorizing the issuance of any bonds for the purpose of financing any income-producing public utility, such bonds shall be held to be issued in excess of the limitation prescribed by Section 8 of this Article. Each issue of bonds, or of other securities, by any city for the aforesaid purpose, shall be payable in substantially equal annual installments of principal and interest combined, beginning not more than five years from the date thereof. No such bonds or other securities shall be issued until the proposition therefor shall have been consented to by a vote of three-fifths of the legal voters of such city voting upon the question.

Sec. 11. Any city issuing bonds in excess of the limitation of indebtedness prescribed by Section 8 of this Article, for the purpose of financing any income-producing public utility, shall, not less than four months prior to the time when any tax for the payment and discharge of the principal of and interest on such bonds, or of the principal of and interest on any other indebtedness incurred for the purpose of financing the same utility, shall by law become collectible, deposit, or cause to be deposited, with the treasurer thereof, out of the gross earnings of the utility for the financing of which indebtedness to be discharged by such tax was incurred, a sum equivalent in amount to such tax, the funds so deposited to be used solely for the purpose of paying and discharging such indebtedness, both as to principal and interest, as the same falls due. To the extent that funds to be used for the payment of any such indebtedness, as to either principal or interest, shall be deposited with the treasurer of any such city prior to the collection of such tax, such tax shall not be collected, but no subsequent loss or misappropriation of the funds so deposited shall relieve such city of its liability to pay such indebtedness. Any city owning or operating any public utility shall conform to all requirements with respect to the keeping of accounts and the audit thereof and to the making of reports that shall be prescribed by law with respect to such matters for any other persons or corporations owning or operating a like utility. Any city issuing bonds in excess of the limitation of indebtedness prescribed by Section 8 of this Article, for the purpose of financing any income-producing public utility, shall thereafter (irrespective of the subsequent amortization of the debt evidenced by any bonds or other securities whatsoever, issued for the financing of such utility) establish and maintain such rates or charges for the service supplied as are necessary to provide sufficient revenue (in addition to amounts required for the payment of the principal of and interest on all outstanding bonded or other indebtedness incurred for the financing of such utility) to pay and discharge at least all costs and expenses involved in or incidental to the ownership, operation, and maintenance of such utility, including expenditures and reserves for repairs and renewals necessary to maintain the properties in first class condition in every respect at all times.

The provisions of this section and of Sections 8, 9 and 10 of this Article, except as otherwise provided herein, shall be self-executing, but laws not in conflict therewith may be passed to facilitate their operation. Any taxpayer of any city owning or operating any such utility shall have the right to enforce all provisions of said sections by appropriate proceedings in any

court of competent jurisdiction, but the right of such taxpayer with respect to the enforcement thereof shall not be exclusive. It shall be the duty of courts of general jurisdiction to enforce all such provisions and for such purpose they shall have all necessary powers, including the power to control and regulate the service supplied by any such utility.

Amend Proposal No. 378 by adding thereto the following to be known as Section 12:

No municipal corporation shall incur any debt for acquiring, constructing or operating any income-producing property for the supply of transportation, communication, light, heat, power, or water, unless such debt shall be authorized and provision for the payment thereof and interest thereon be made as in Sections 9, 10 and 11 of this Article.

And recommended that the Proposal, as amended, do pass.

The report of the committee was concurred in and Proposal No. 378 referred to the Committee on Phraseology and Style.

At the hour of 5:00 o'clock p. m., Mr. Rinaker moved that the Convention do now adjourn until 9:00 o'clock a. m., tomorrow.

The motion prevailed.

And the Convention stood adjourned.

WEDNESDAY, DECEMBER 8, 1920, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Willis Ray Wilson, of the Methodist Episcopal Church, of Prophetstown.

The Journal of Monday, December 6, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The President laid before the Convention the appointment of Mr. Clarke as chairman of the Committee on Phraseology and Style vice Mr. Hamill, resigned, and Mr. Brewster as a member of said committee to fill the vacancy.

The Convention proceeding on the order of reports of standing committees.

Mr. DeYoung submitted the following report:

Your Committee on Judicial Department, to which, at its request, were recommitted sections 33 and 47 of Proposal No. 383 entitled "Judicial Department," begs to submit the following report:

1st.—Amend section 33 by inserting before the word "sessions," in line 5 of said section, the words: "criminal branches of said court shall be provided by the county of Cook. All other branches or" and further by striking out the word provided, in line six of said section and inserting in lieu thereof, the words: "held in quarters furnished," and further by inserting before the word sessions, in line 7 of said section, the words: "branches or," so that said section 33 when so amended shall read as follows:

Sec. 33. Sessions of the District Court of Cook County shall be held at the city of Chicago. The General Assembly may, however, provide for the holding of branches of said court in cities, villages, and incorporated towns, within said county, other than the city of Chicago, which have a population of at least five thousand inhabitants. Suitable quarters for the holding of the criminal branches of said court shall be provided by the county of Cook. All other branches or sessions of said court shall be held in quarters furnished respectively by the city of Chicago, and such other cities, villages and incorporated towns in which such branches or sessions shall be held, without expense to the county or the State.

2nd.—Amend section 47 by inserting after the word "officer," in line 5 of said section, a comma, and the words: "after it has been fixed by law," and further by inserting after the words "Circuit or," in the beginning of line 7, in said section 47, the words: "County Court or the" so that said section 47 when so amended shall read as follows:

Sec. 47. The salaries of the justices of the Supreme Court and of the judges of the Appellate, Circuit and County Courts and the District Court of Cook County shall be fixed by law, and, except as otherwise prescribed in this article, shall be paid out of the State treasury. The salary of no judicial officer, after it has been fixed by law, shall be increased or decreased during the term for which he is elected or appointed, and no justice of the Supreme Court or judge of the Appellate, Circuit or County Courts or the District Court of Cook County shall receive any other compensation, perquisite or

benefit in any form whatever, nor shall he perform any duties, other than judicial, from which he shall derive any emolument.

3rd.—Incorporate in said Proposal No. 383 an additional section to be known as section 38, in the words following:

Sec. 38. Whenever electors of Cook County equal in number to one-tenth of the vote cast for all candidates for president of the county board of commissioners at the last preceding election thereof shall petition the Chief Justice of the Circuit Court of said county to submit to a vote of the electors thereof the proposition as to whether said county shall adopt the system for the appointment of the judges of the Circuit and District Courts of Cook County hereinafter provided, it shall be the duty of such Chief Justice to submit such proposition to a special county election to be called by such judge within ninety days, by entering of record in said court an order to that effect. But if at any such special election such proposition shall not be adopted, said proposition shall not be again submitted for two years. Such election shall be held under the election laws in force in Cook County. If such proposition receives the affirmative vote of a majority of those voting thereon such system of appointment shall be adopted; and the Chief Justice shall proclaim the adoption thereof. The form of such petition, and of its verification, and of the ballots to be used in such election and the manner of voting therein, and the public notice thereof to be given, and the method of certification and recording of the result of said election, shall be prescribed by law, or by the Supreme Court in case the same shall not have been prescribed by law. After the adoption of such proposition, the method of choosing judges of the Circuit and District Courts of Cook County shall be as follows: Upon the occurrence of a vacancy in the office of any judge in said county, the Governor shall fill such vacancy by appointment, from a list of eligible persons furnished to him by a majority of the justices of the Supreme Court, including a majority of the justices thereof from the Seventh Supreme Judicial District, which list shall contain the names of four or more persons for each judge to be appointed, not more than half of whom shall be affiliated with the same political party. Excepting as in this section is otherwise provided, each judge appointed by the Governor for said county of Cook shall hold his office during good behavior. At the annual election in November of every sixth year after the adoption of such system of appointment, an election shall be held in the county of Cook to enable the duly qualified electors thereof to express their approval or disapproval of the judges so appointed and then in office. The method of voting and the form of ballots to be used at such elections shall be prescribed by law. If at any such election a majority of the electors of said county voting at such election shall by their votes express their disapproval of any such judge, his office shall, after the expiration of ninety days therefrom become vacant, and he shall be ineligible to appointment as a judge of said court for a period of six years thereafter.

4th.—Incorporate in said Proposal No. 383 a further additional section, to be known as section 46, in the words following:

"Section 46. No action or proceeding shall be open to objection on the ground that a merely declaratory judgment or decree or order is sought thereby, and the court may make a binding declaration of right, whether any consequential relief is or could be claimed, or not, as may be provided by law.

5th.—Renumber sections 38, 39, 40, 41, 42, 43 and 44 of printed Proposal No. 383, so that they will be numbered respectively sections 39, 40, 41, 42, 43, 44 and 45.

6th.—Renumber sections 45, 46, 47, 48, 49, 50, 51 and 52 of printed Proposal No. 383, so that they will be numbered 47, 48, 49, 50, 51, 52, 53 and 54.

7th.—That your Committee on Judicial Department has been unable to agree upon a revision of sections 6 and 7 of said Proposal No. 383, and for that reason refers said sections to the Committee of the Whole of the Convention for consideration and disposition.

Respectfully submitted,

(Signed) FREDERIC R. DEYOUNG,
D. E. MACK,
CHARLES S. CUTTING,
HENRY I. GREEN,
G. A. DUPUY,
WILLARD M. MCEWEN,
B. H. GARRETT,
S. J. GEE,
A. F. GOODYEAR,
Committee.

The report of the committee was ordered printed and to lie on the table.

Mr. Green, from a minority of the Committee on Judicial Department, submitted the further report:

The members of the Committee on Judicial Department who heretofore reported to the Convention Proposal No. 384, respectfully report and resubmit to the Convention to become a part of the proposed Constitution, section 6 of Proposal No. 384, as originally reported, as follows:

"Section 6. The State shall be divided into seven districts for the election of the justices, and, until otherwise provided by law, they shall remain as now constituted. One justice shall be elected from each district."

The report of the committee was ordered printed and to lie on the table.

Mr. DeYoung moved that the reports of the Committee on Judicial Department be taken from the table and placed on the General Orders.

And the motion prevailed.

GENERAL ORDERS.

The Convention proceeding on the General Orders, the President called Mr. Cutting to the chair.

And at the hour of 9:30 o'clock a. m., the Convention went into Committee of the Whole for the further consideration of the reports of the Committee on Judicial Department, being Proposals numbered 383 and 384.

At the hour of 3:52 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Cutting, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

Mr. Whitman offered the following resolution and moved its adoption:

RESOLUTION NO. 33.

Resolved, That when the Convention adjourns today it stand adjourned until the first Tuesday in September, 1921, at 10:00 o'clock a. m.

The question being on the adoption of the resolution, a division was had resulting as follows: Yeas, 28; nays, 27.

And the resolution was adopted.

At the hour of 4:45 o'clock p. m., Mr. Carlstrom moved that the Convention do now adjourn.

And on that motion a call of the roll was had, resulting as follows: Yeas, 27; nays, 35.

Those voting in the affirmative are: Messrs.

Brandon	De Young	Goodyear	Parker	Sutherland
Carlstrom	Dietz	Hamill	Quinn	Torrance
Chew	Dupuy, G. A.	Hull	Revell	Traeger
Cutting	Frole	McEwen	Scanlan	Trautmann
Davis	Gale	Morris	Six	Warren
Dawes	Garrett			Yeas—27.

Those voting in the negative are: Messrs.

Brenholt	Gilbert	Jarman	Mills	Smith
Brewster	Gray	Johnson, L. C.	Moore	Sneed
Clarke	Green	Kerrick	Nichols	Tanner
Coolley	Hogan	Lindly	Paddock	Todd
Dove	Hollenbeck	Mack	Rinaker	Wall
Dunlap	Ireland	Meinert	Shaw	Mr. President
Gee	Jack	Mighell	Shuey	Nays—35.

And the motion was lost.

Pending the call of the roll, the absence of Messrs. Corlett, Fifer, and Taff was noted on account of illness and also that of Mr. Barr, who had accompanied Mr. Corlett to his home.

Mr. Mack moved to reconsider the vote by which the resolution offered by Mr. Whitman was adopted.

And the motion prevailed.

Pending discussion, at the hour of 6:20 o'clock p. m., Mr. Gale moved that the Convention do now take a recess until 9:00 o'clock a. m., tomorrow.

And the motion prevailed.

The hour of 9:00 o'clock a. m., of Thursday, December 9, having arrived, the Convention resumed its session.

The President presiding.

The pending question at the hour of taking a recess, on yesterday, being the adoption of the resolution offered by Mr. Whitman, the same was, by unanimous consent, withdrawn.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Cutting to the chair.

And at the hour of 9:55 o'clock a. m., the Convention again went into Committee of the Whole for the further consideration of the reports of the Committee on Judicial Department, being Proposals numbered 383 and 384.

At the hour of 11:05 o'clock a. m., the Convention resumed its session.

The President presiding.

Mr. Cutting, from the Committee of the Whole, having had under consideration Proposals numbered 383 and 384, reported back Proposal No. 383, together with the following amendments thereto, to-wit:

Amend Proposal No. 383, as follows:

Amend section 1 by striking out the word "the" in line 4, after the word "and."

Amend section 5 by substituting in lieu thereof the following:

Section 5. The Supreme Court shall consist of seven justices, one of whom, to be chosen by themselves, shall be Chief Justice. A majority of the justices shall constitute a quorum and the concurrence of four shall be necessary to every decision.

Amend section 6 by substituting in lieu thereof the following:

Section 6. The State shall be divided into six districts for the election of justices. The first district shall consist of the county of Cook and two justices shall be elected from that district. The State, outside of the county of Cook, shall be divided into five districts for the election of justices, and until otherwise provided by law, they shall be as follows:

Second District: (Herein insert names of counties.)
Third District: (Herein insert names of counties.)
Fourth District: (Herein insert names of counties.)
Fifth District: (Herein insert names of counties.)
Sixth District: (Herein insert names of counties.)

One justice shall be elected from each of said districts numbered 2, 3, 4, 5 and 6.

Amend section 7 by substituting in lieu thereof the following:

Section 7. The justices of the Supreme Court in office at the time of the adoption of this Constitution shall continue to hold office during the respective terms for which they were elected or appointed and until their successors are elected and shall qualify. The term of office of justices of the Supreme Court elected after the adoption of this Constitution, other than justices elected or appointed to fill unexpired terms, shall be ten years from the day of their election.

(Herein insert provisions for the extension of the terms of the present justices, if necessary, to conform to the re-apportionment plan and the election hereafter of justices in as nearly equal numbers as possible every third year. Provision shall also be made for the election of the additional justice from the first district in the year 1924 and for the election of the two justices from that district in different years.)

Amend section 10 in line 8 by adding after the words "Mount Vernon" the words "until otherwise provided by law." Also by placing a comma (,) after the word each in line 9.

Amend section 11 in line 4 by inserting the words "death or" after the word "is."

Amend section 13 in line 2 by changing the word "of" to "or."

Amend section 16 by striking out the last word in said section and inserting in lieu thereof the word "observed."

Amend section 19 by inserting after the word "city" in line 4 the words "wholly or partly" and also by inserting in line 6 after the word "city" the words "or part thereof."

Amend section 20 by striking out all words after the word "court" in line 5.

Amend section 22 in line 11 by striking out the word "of" after the word "place."

Amend section 28 by inserting at the end of line 8 the words "or appointed."

Amend section 31 by inserting in line after the word "one" the word "thirty" also by striking out in line 6 preceding the word "judges" the word "the" also by inserting the words "elected or appointed" in line 8 after the word "judges."

Amend section 32 by striking out in line 1 the words "not less than five" after the word "designate."

Amend section 33 by inserting in line 5 before the word "sessions" the words "criminal branches of said court shall be provided by the county of Cook. All other branches or" and also by striking out in line 6 the word "provided" and inserting in lieu thereof the words "held in quarters furnished" also in line 7 by inserting after the word "such" the words "branches or."

Amend section 34 in line 4 by changing the word "justice" to read "justices."

Amend section 35 by adding the letter "s" to the word "court" in line 1 making it read "courts."

Amend Proposal No. 383 by adding a new section thereto to be known as section 38, after a renumbering of the sections, which is to read as follows:

Sec. 38. Whenever electors of Cook County equal in number to one-tenth of the vote cast for all candidates for president of the county board of commissioners at the last preceding election thereof shall petition the Chief Justice of the Circuit Court of said county to submit to a vote of the electors thereof the proposition as to whether said county shall adopt the system for the appointment of the judges of the Circuit and District Courts of Cook County hereinafter provided, it shall be the duty of such Chief Justice to submit such proposition to a special county election to be called by such judge within ninety days, by entering of record in said court an order to that effect. But if at any such special election such proposition shall not be adopted, said proposition shall not be again submitted for two years. Such election shall be held under the election laws in force in Cook County. If such proposition receives the affirmative vote of a majority of those voting thereon such system of appointment shall be adopted, and the Chief Justice shall proclaim the adoption thereof. The form of such petition, and of its verification, and of the ballots to be used in such election and the manner of voting therein, and the public notice thereof to be given, and the method of certification and recording of the result of said election, shall be prescribed by law, or by the Supreme Court in case the same shall not have been prescribed by law. After the adoption of such proposition, the method of choosing judges of the Circuit and District Courts of Cook County shall be as follows: Upon the occurrence of a vacancy in the office of any judge of said county, the Governor shall fill such vacancy by appointment, from a list of eligible persons furnished to him by a majority of the justices of the Supreme Court, including a majority of the justices thereof from the Seventh Supreme Judicial District, which list shall contain the names of four or more persons for each judge to be appointed, not more than half of whom shall be affiliated with the same political party. Excepting as in this section is otherwise provided, each judge appointed by the Governor for said county of Cook shall hold his office during good behavior. At the annual election in November of every sixth year after the adoption of such system of appointment, an election shall be held in the county of Cook to enable the duly qualified electors thereof to express their approval or disapproval of the judges so appointed and then in office. The method of voting and the form of ballots to be used at such election shall be prescribed by law. If at any such election a majority of the electors of said county voting at such election shall by their votes express their disapproval of any such judge, his office shall, after the expiration of ninety days therefrom become vacant, and he shall be ineligible to appointment as a judge of said court for a period of six years thereafter.

Amend section 45 in line 5 by changing the word "the" before the word "Constitution" to "this."

Amend Proposal No. 383 by adding thereto a new section to be known as section 46, after a renumbering of the sections, which is to read as follows:

Section 46. No action or proceeding shall be open to objection on the ground that a merely declaratory judgment or decree or order is sought thereby and the court may make a binding declaration of right, whether any consequential relief is or could be claimed, or not, as may be provided by law.

Amend section 47 by inserting in line 2 after the words "Appellate" and "Circuit" the word "court" also in lines 6 and 7 after the words "Appellate" and "Circuit." Also in line 5 by inserting after the word "officer" the words "after it has been fixed by law," also in line 7 by inserting before the word "district" the words "County Court or the." And also by striking out all after the word "judicial" in line 9 and inserting the following "or engaged in the practice of the law so long as he shall hold the office of such justice or judge."

Amend section 49 by adding at the end of line 1 the words "of each house" and by changing the word "journals" to "journal."

And recommended that the Proposal, as amended, do pass.

The report of the committee was concurred in and Proposal No. 383, referred to the Committee on Phraseology and Style.

By unanimous consent, Mr. Sneed submitted the following report:

Your Committee on Industrial Affairs and Labor, to which was referred Proposals numbered 107, 46, 140, 216, 206, 165, 185, 203 and 232.

Recommends that Proposals numbered 107, 46, 140, 216, 206, 165, 185 and 203 be rejected and that Proposal No. 232 be placed on the General Orders.

Respectfully submitted,

(Signed) Wm. J. Sneed,
Chas. V. Parker,
Guy L. Shaw,
J. J. Brenholt, Jr.,
E. E. Fyke,
Lee Mighell,
Michael Iarussi,
Thomas Frole,
Committee.

The report of the committee was ordered printed and to lie on the table.

By unanimous consent, Mr. Miller submitted the following minority report:

A minority of the Committee on Industrial Affairs and Labor, respectfully recommends that all of the original Proposals submitted to said committee be rejected and that the following become a part of the Constitution of Illinois:

LABOR.

Section 1. The labor of the human being is an attribute of life and is not property.

Section 2. The right of workmen to organize into trade and labor unions and to deal and speak through representatives chosen by themselves, is declared and it shall not be abridged.

Respectfully submitted,

(Signed) Amos C. Miller.
Charles J. Michal.

The foregoing minority report was ordered printed and to lie on the table.

Mr. Whitman offered the following resolution and moved its adoption:

RESOLUTION No. 34.

WHEREAS, The reports of the several committees heretofore made to this Convention have been referred to the Convention sitting as a Committee of the Whole, and have been disposed of in the Convention and referred to the Committee on Phraseology and Style;

AND WHEREAS, All matters on the general orders have been finally disposed of by this Convention, leaving no pending matters for consideration in Committee of the Whole;

AND WHEREAS, Before the Convention can proceed further with its deliberations it will be necessary to have before it the reports of the Committee on Phraseology and Style on the several matters referred to such committee;

AND WHEREAS, The Committee on Phraseology and Style has not had the opportunity to consider its report on the subjects of revenue, judicial department, Chicago and Cook County, and other matters referred to it since November 8, 1920, and has not yet completed its report on several other matters heretofore referred to it;

AND WHEREAS, In the judgment of this Convention it is wise and expedient not to proceed with second readings until all matters heretofore referred to the Committee on Phraseology and Style have been reported to this Convention;

AND WHEREAS, The General Assembly will convene in this hall on the first Wednesday, after the first Monday, in January, A. D. 1921, and in all probability will occupy the hall until on or about the first day of July, A. D. 1921; now, therefore be it

Resolved. That when the Convention adjourns today it stand adjourned until the first Tuesday in September, A. D. 1921, at ten o'clock a. m., on said day.

And the resolutoin was adopted.

Mr. Dupuy moved that the President be granted authority to call the Convention to order at any time during the recess, should any emergency arise.

And the motion prevailed.

The President laid before the Convention the appointment of Mr. Gray as chairman of the Committee to Edit Debates vice Mr. Clarke, who resigned to accept the chairmanship of the Committee on Phraseology and Style, and Mr. Jarman, as a member of the Committee on Judicial Department vice Mr. Conkling, deceased.

The President laid before the Convention the following communication from the Attorney General, which was ordered placed on file:

STATE OF ILLINOIS,
LAW DEPARTMENT,
SPRINGFIELD, *December 9, 1920.*

EDWARD J. BRUNDAGE, Attorney General.

File No. 10620.

CONSTITUTIONAL CONVENTION—PROPOSAL ON RATIFICATION OF AMENDMENTS TO FEDERAL CONSTITUTION.

Honorable Charles E. Woodward, President, Constitutional Convention of 1920, Springfield, Illinois.

DEAR SIR: Your letter of December 2 informs me that the Constitutional Convention has, by resolution, requested the opinion of the Attorney General on the constitutionality of Proposal No. 382, reading as follows:

"Whenever the Congress of the United States shall by appropriate resolution, propose an amendment to the Federal Constitution, such resolution shall be filed and remain in the office of the Governor until after the members of the next General Assembly shall have been elected.

"When pursuant to law and this election, the General Assembly shall have been organized, the Governor shall present such resolution and proposed amendment for consideration."

Article V of the Constitution of the United States provides two methods, and only two, of ratifying a proposed amendment thereof—ratification by legislatures of three-fourths of the several states, or by conventions in three-fourths thereof. The language of the first paragraph of said Proposal applies to either method and the plain effect is to prevent ratification of such proposed amendment, either by convention or by legislature "until after the members of the next General Assembly shall have been elected."

The second paragraph of said Proposal requires the Governor to present such proposed amendment and the resolution of Congress proposing same, to the "next General Assembly" for consideration, after it shall have been organized pursuant to law. This paragraph requires submission of the proposed amendment to the legislature, notwithstanding that Congress may provide for ratification by conventions instead of by legislatures. While it may be doubted whether this paragraph prohibits the Governor from submitting such resolution and proposed amendment to a convention (when ratification by conventions is the method proposed by Congress), it certainly does not authorize the Governor so to do. In case ratification by conventions is proposed by Congress, leaving the states to provide for the assembling of such conventions, still the General Assembly in existence or in session at the time when such amendment is proposed by Congress is precluded by this Proposal from considering the resolution of Congress, even to the extent of providing for the assembling of such convention.

It is not wholly irrelevant to remark that the meaning of the words "next General Assembly" is somewhat uncertain. Do these words mean, the next General Assembly whose members are elected after the passage of such resolution of Congress, or do they mean, the first General Assembly which convenes and organizes after the passage of such resolution?

In *Hawke* v. *Smith*, U. S. Supreme Court (decided June 1, 1920), 40 Sup. Ct. Rep. 495, the court had under consideration the validity of a provision in the State Constitution of Ohio which, in substance, prevented the legislature of that state from ratifying a proposed amendment to the Federal Constitution, except in accordance with the will of the voters of that state expressed in a referendum election on the question of ratification thereof. The court decided:

That ratification by a legislature of a proposed amendment to the Federal Constitution is not an act of legislation within the proper use of the word, but the expression of the assent of the state to the proposed amendment.

That the power of a state legislature to ratify a proposed amendment to the Federal Constitution is not derived from the people of the state, but has its source in such Constitution.

That it is not a function of the state to alter the method of ratifying a proposed amendment to the Federal Constitution which the Constitution has fixed.

That the Constitution provides only two methods of ratification of a proposed amendment thereof, one by the legislatures of three-fourths of the states, the other by conventions in three-fourths thereof, as Congress may determine.

That a state has no authority to require the submission of the ratification of a proposed amendment to the Federal Constitution to a referendum under the state Constitution.

The Proposal now under discussion does not contemplate any method of ratifying a proposed amendment to the Federal Constitution different

from that provided by the Federal Constitution. Said Proposal does not deal with the method of ratification. The evident purpose of this Proposal is to afford the people of this State an opportunity to consider such proposed amendment and to choose the members of their legislature in view of the impending question of ratification thereof, which such members must consider.

The practical effect of this Proposal, should it become part of the State Constitution, is that the people of Illinois prohibit their Legislature existing at the time of the passage of the act of Congress proposing such amendment, from ratifying or even considering the same. The Federal Supreme Court holds that the power to ratify is not conferred by the people of the State but by the Constitution of the United States. It seems reasonable to conclude that the power of ratification cannot be restricted in any way by the people of the State, and the Proposal here in question does, in substance and effect, restrict the power of the Legislature conferred upon it by the Federal Constitution. I think it may be strongly argued on the basis of the opinion in the Hawke case, that the Constitution commits to the Legislature itself the power to determine for itself, and free from restriction or limitation imposed by State authority, what consideration, and the time and manner thereof, it shall give to a proposed amendment to the Federal Constitution, or to a resolution of Congress proposing the same.

I have been unable to find that the validity of such a provision has been passed upon by the Federal courts, but in the adoption of a recent amendment by one of the states the validity of a similar provision in its Constitution has been strongly asserted. In the absence of definite judicial expression, I hesitate to express a definite opinion on the validity of this Proposal, but I feel constrained to say that there is at least a strong probability that said Proposal is repugnant to the Constitution of the United States.

Very truly yours,

EDWARD J. BRUNDAGE, *Attorney General.*

At the hour of 11:20 o'clock a. m., Mr. Hamill moved that the Convention do now adjourn.

The motion prevailed.

And in accordance with the resolution, heretofore adopted, the Convention stood adjourned until the first Tuesday in September, A. D. 1921, at 10:00 o'clock a. m.

TUESDAY, SEPTEMBER 6, 1921, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Abram G. Bergen, of the Fifth Presbyterian Church, of Springfield.

The Journal of Tuesday, December 7, 1920, having been printed, and placed on the desks of the Delegates, as provided under the rules, was taken up and, no corrections appearing, was ordered to stand approved.

The Convention proceeding on the Order of Reports of Standing Committees, Mr. Clarke submitted the following reports:

Report No. 7.

YOUR COMMITTEE ON PHRASEOLOGY AND STYLE, TO WHICH WAS REFERRED A PROPOSAL IN RELATION TO SUFFRAGE AND ELECTIONS (INTRODUCTION NO. 351, REFERENCE NO. 6) AS AMENDED IN COMMITTEE OF THE WHOLE, RESPECTFULLY REPORTS THAT IT HAS CONSIDERED SUCH PROPOSAL AND HEREWITH SETS FORTH IN PARALLEL COLUMNS SAID PROPOSAL AS ADOPTED IN COMMITTEE OF THE WHOLE ON THE LEFT, AND A SUBSTITUTE THEREFOR AS RECOMMENDED BY THIS COMMITTEE ON THE RIGHT.

RESOLVED, *That the following shall become a part of the Constitution of Illinois:*

Section 1. Every citizen of the United States having resided in this State one year, in the county ninety days, and in the election district thirty days next preceding any election therein, and who shall be above the age of twenty-one years, shall be a qualified elector at such election. No person, however, shall be entitled to vote who has not been a resident of the United States for five years, unless he or she shall have acquired citizenship within less than five years by reason of service in the military or naval forces of the United States.

Section 2. All votes shall be by ballot.

Section 1. Excepting only idiots and persons adjudged insane or convicted of infamous crime and not restored to civil rights, every citizen of the United States above the age of twenty-one years who has resided in the State one year and (unless naturalized because of military or naval service) in the United States five years, shall be a qualified elector, but may vote only in the election district and county in which he has resided thirty and ninety days respectively next before such election.

Section 3. All votes shall be by ballot.

Section 3. Electors shall, in all cases except treason, felony or breach of the peace, be privileged from arrest during their attendance at elections and in going to and returning from the same. And no elector shall be obliged to do military duty on the days of election, except in time of war or public danger.

Section 4. Except for treason, felony or breach of the peace, electors shall be privileged from arrest during attendance at and in going to and returning from elections. Militia duty shall not be required of electors on election days except in time of war or public danger.

Section 4. No elector shall be deemed to have lost his residence in this State by reason of his absence on the business of the United States or of this State, or in the military or naval service of the United States.

Section 2. No person shall be deemed to have lost his voting residence because of absence in the service of the State or the United States nor to have a voting residence because he has been stationed as a soldier, seaman or marine in this State.

Section 5. No soldier, seaman or marine in the army or navy of the United States shall be deemed a resident of this State in consequence of being stationed therein.

(Included in Section 2.)

Section 6. No person shall be elected or appointed to any office in this State, civil or military, who is not a citizen of the United States, and who shall not have resided in this State one year next preceding the election or appointment, or who is unable to read and write the English language.

Section 5. No person shall hold any office in this State unless he is a citizen of the United States, resident in this State one year, and able to read and write the English language.

Section 7. No idiot or person adjudged insane, or person convicted of any infamous crime, shall be entitled to the privilege of an elector unless restored to civil rights.

(Included in Section 1.)

Section 8. Except as otherwise provided by general law, concurred in by two-thirds of the members elected to each branch of the General Assembly, and passed, after January 1, 1927, all regular final elections to fill offices created by this constitution, or which are or may be established by law, shall be held on the first Tuesday after the first Monday in November in each year and at no other time. Special elections to fill vacancies in elective offices, except as otherwise provided in this Constitution, shall be held on the day of the regular election.

Section 6. No final election of officers shall be held save on the Tuesday after the first Monday of November which shall be a holiday; but after the first day of January, 1927, the General Assembly, by a two-thirds vote of the members elected to each House, may provide for the election of officers at other times.

Section 9. When a vacancy shall happen in an elective office and the unexpired term is less than fifteen months, the appointing power shall fill such vacancy by appointment. When the unexpired term is fifteen

Section 7. Every vacancy in an elective office which would continue a year or more beyond the first regular election occurring after ninety days shall be filled at such election; but such vacancy prior to the quali-

months or more, such vacancy shall be filled at a special election to be held on the day of the first regular election occurring more than ninety days next ensuing such vacancy; but a temporary appointment may be made to expire upon the qualification of the person elected at such special election.

Section 10. All regular final election days shall be legal holidays.

Section 11. The General Assembly may pass laws conducive to the full exercise of the right of suffrage by all persons possessing such right.

fication of the person elected, and all other vacancies may be filled by appointment.

(Included in Section 6.)

Section 8. The General Assembly may pass laws conducive to the full exercise of the suffrage by all those entitled thereto.

Section 9. This article shall apply to all elections under this constitution or other law.

Respectfully submitted,

ELAM L. CLARKE, *Chairman.*
THOS. RINAKER.
CHARLES B. T. MOORE.
E. H. DUPEE.
H. E. TORRANCE.
GEORGE A. BARR.
EDWARD H. BREWSTER.

IN RE PROPOSAL NO. 351.

Memorandum from Committee on Phraseology and Style, Accompanying Report on Proposal No. 351, being a Proposal entitled Suffrage and Elections.

SECTION 1. The reference draft departs in five particulars from the Constitution of 1870.

1. The section there appears in a single sentence, while in the reference draft it is phrased in two sentences.

2. The section there contains a provision with reference to persons who had the right to vote prior to 1848, which is omitted in the reference draft.

3. The guarantee of suffrage to persons naturalized in any court of record is eliminated.

4. A provision is added requiring residence in the United States for five years, except in the case of a person naturalized because of military service.

5. The word "male" is omitted.

The section in the reference draft contains the following requirements:

1st. Citizenship in the United States.

2nd. Residence of (a) thirty days in the election district, (b) ninety days in the county, and (c) one year in the State.

3rd. The residence must be next preceding the election.

4th. The elector must be over 21 years of age.

5th. Residence in the United States for five years—unless naturalized within that time because of service in the military or naval forces.

In section 7 of the reference draft the qualifications for voting are further limited. There it is provided that no person (unless restored to civil rights) shall be "entitled to the privilege of an elector" who is:

6th. An idiot.

7th. Adjudged insane.

8th. Convicted of infamous crime.

Inasmuch as sections 1 and 7 deal with the same subject matter, they should be consolidated.

The two sections characterize the right of suffrage in three different ways; namely, (a) qualified electors, (b) persons entitled to vote, and (c) persons entitled to the privilege of an elector. Each of these three phrases in the reference draft is intended to mean the same thing but they are susceptible of different meanings. Where the person entitled to the privilege or franchise of voting is described, the words "qualified elector" seem to your committee the best expression. Where the meaning intended is that, although a person may be a qualified elector, he shall be entitled to vote only in a particular precinct, your committee believes the best expression is "may vote only." There seems to your committee no occasion for a third classification, and accordingly the phrase "persons entitled to the privilege of an elector" has been dropped.

There are really two kinds of residence referred to. First, the residence which is required of a qualified voter as such, including residence in the State for one year, and in the United States for five years; second, the residence which determines where a "qualified voter" may vote, i. e., residence in the county and election district for ninety and thirty days respectively. The first goes to the right to vote at all, the second only to the place at which the ballot may be cast. The two kinds of residence should be differentiated, and your committee has distinguished them in its draft.

The phrase "infamous crime" is difficult to construe. As used in the present Constitution the words have three possible meanings; they may describe crimes which are made infamous, (1) by common law, (2) by the statutes in force in 1870, or (3) by statute law as it may change from time to time. It cannot be said which of these meanings was intended by the Constitution of 1870. Furthermore the General Assembly has defined an "infamous crime" in one way in the criminal code (Hurd's Revised Statutes 1917, Chapter 38, Section 279), and in another way in the election laws. (Hurd's Revised Statutes, 1917, Chapter 46, Section 70). An infamous crime, as that term is usually understood, is equivalent to a felony, and a felony is generally described as a crime punishable by imprisonment in the State penitentiary. It should be noted that in the Constitution of 1870 the General Assembly was directed to exclude from the suffrage, persons convicted of infamous crimes. The Committee of the Whole has changed this provision from a mandate to the General Assembly, to a self-executing disfranchisement of persons convicted of such crimes. It is assumed by your committee that in making this change, the Committee of the Whole did not intend to deny the

power of the General Assembly to change from time to time the definition of "infamous crime" and thus determine who may be excluded from the franchise under this provision. Such construction appears to be logical and necessary for two reasons. First, because the General Assembly necessarily has the power to control the definition of felonies or infamous crimes, since that body has the power to determine what crimes shall be punishable by imprisonment in the penitentiary; and second, because, in the nature of things, the term "infamous crimes" must be an elastic one to meet changing times and conditions.

Under a literal construction of the Constitution of 1870 idiots and persons adjudged insane apparently were not denied the right to vote. The Supreme Court however, has recognized that by common law principles such persons cannot vote. (*Behrensmeyer* v. *Kreitz,* 135 Ill. 591, 1891; *Welsh* v. *Shumway,* 232 Ill. 54, 1908). The section as adopted by the Convention and as redrafted by your Committee conforms to the policy announced in these decisions.

The question has arisen as to whether or not the first section of the article on suffrage in the constitution of 1870 makes unconstitutional an absentee voting law. There is such a law in Illinois but its constitutionality has never been tested. At the time it was passed the Attorney General expressed some doubt as to its validity under this section. (Report, Attorney General, 1918, pp. 300, 345). The changes recommended by your committee are intended to remove this doubt.

Under Section 1 of the Constitution of 1870 it is not necessary that a person should have resided in the State, county and district for the requisite periods after he became a citizen. A person having the necessary qualifications could vote the day after he became naturalized. Your committee understands that there was no intention on the part of the Convention to alter this rule by changing the phrase "every person * * * having resided" to the words "every citizen * * * having resided." Nor does your committee intend any change in this construction by the language recommended.

SECTION 2. This section of the reference draft has been made Section 3 of this report and no change is suggested.

SECTION 3. This section has been made Section 4 of your committee's report.

In the Constitution of 1818 this section contained only the first sentence. In 1848 the first and second sentences of the reference draft appeared as separate sections and the same form was adopted in the rejected Constitution of 1862. The Convention of 1870 combined the two sections.

In the first sentence the verb "be privileged" is separated from the auxiliary "shall" by several words, making the sentence difficult to read. The use of the adjective "same" as a pronoun is objectionable for reasons heretofore stated. Your committee believes that the exception "for treason, felony or breach of the peace" can more easily be comprehended if placed at the beginning of the sentence.

The second sentence is doubtless intended to protect the suffrage of persons in the military service of the State, rather than of the United States. Obviously the State of Illinois could not, by its Constitution,

guarantee the soldiers in the service of the Federal Government the right to vote. Your committee has therefore substituted the word "militia" for the word "military" thus restoring the wording used prior to 1870. The sentence has been otherwise rephrased with some economy of words.

SECTIONS 4 and 5 combined. These sections of the reference draft have been combined in Section 2 of this report for the reason that they are concerned with the same subject matter. The new section has been renumbered since it logically follows Section 1.
is the substantive used generally throughout the article and for the further reason that a person who has lost his residence cannot be considered an "elector."

The word "voting" has been added before the word "residence" to insure that the rule laid down is a rule for determining the residence necessary in order to vote, and not a rule for determining residence for other purposes such as divorce or attachment.

The word "service" as used in your committee's draft includes both "business" and "military or naval service."

SECTION 6. This section of the reference draft becomes Section 5 of this report.

The reference draft leaves some doubt whether a person would be eligible to office whose one year of residence was completed after his election but before he assumed office. This has always been a moot question and has frequently been litigated with varying results. (See Article by Floyd R. Mechem in 1 Michigan Law Rev. p. 17). Your committee believes that the Convention intends to require an eligible officer rather than an eligible candidate and has therefore changed the words to read "no person shall hold any office."

SECTION 7. This section of the reference draft has been discussed in Section 1 of this report.

SECTION 8. This section becomes Section 6 of your committee's draft. It is a new section. If it is analyzed, it will be found to contain the following ideas:

1. It applies to all regular final elections, (a) whether created by the Constitution, or (b) created by law.
2. All elections shall occur on a single day in each year.
3. The same provisions shall apply to special elections and general elections, except as otherwise provided by the Constitution.
4. But the General Assembly may change the provisions of this section upon certain conditions; (a) after January 1, 1927, (b) by general law, (c) concurred in by two-thirds of the members elected to each house.

Since the section is essentially a limitation on the General Assembly it seems best to phrase the section directly as a limitation, rather than in the indirect form of the reference draft.

The clause "offices created by the Constitution or which may be created by law" was doubtless inserted to overcome the effect of the case of *Scown* v. *Czarnecki*, 264 Ill. 305, 1914. An additional section (Section 9) has been added by your committee because this case holds

in effect that this entire article has no application to statutory elections. This section will be discussed later.

The phrase "except as otherwise provided in this Constitution" seems unnecessary. The section is in the form of a general provision as to elections and as such will be controlled by any inconsistent special provision in the Constitution.

Section 10 of the reference draft concerning holidays has been incorporated in this section for the purpose of brevity. A day declared by law to be a "holiday" is necessarily a "legal holiday."

The last part of this section in the reference draft referring to special elections, has been dropped. If all elections are required to be held on the day specified, special elections to fill vacancies are included. This is clearly indicated by the next section.

SECTION 9. This section of the reference draft is Section 7 in the draft recommended by your committee.

This section also is new with this Convention. If analyzed it will be found to contain the following elements:

1. Vacancies in elective offices shall be filled by election, except when the period of vacancy would be less than one year.

2. Whenever a vacancy is to be filled by an election, the election shall not occur within 90 days after the vacancy.

3. The period up to the time when the person elected qualifies may be filled by appointment.

4. There shall be no election if the unexpired term is for less than one year.

5. All vacancies not filled by election as thus provided shall be filled by the appointing power.

As it appears in the reference draft this section might lead to an unfortunate result. If an officer died on August 15, 1920, while holding an office for a term expiring December 1, 1921, no election of a successor could be held in November, 1920, but would be held in November, 1921, and the successor then elected would hold office barely three weeks. Your committee has rephrased the section to avoid this result and to retain its full meaning.

SECTION 10. This section of the reference draft is included in Section 6 of the draft of your committee.

SECTION 11. This section is Section 8 in the draft of your committee. Your committee has many times called attention to the principle that a provision of the Constitution affecting the General Assembly must be construed as a limitation and not as a grant of power. It will therefore be seen that this section could only hamper the General Assembly in passing a compulsory voting law. Thus the words "by all persons possessing such right" might prevent the General Assembly from exempting from a compulsory voting law persons sick or physically unable to vote.

Again the use of the word "full" might render invalid any compulsory voting law which did not compel the voter to vote for all officers and upon all issues and to do this at every election. In other words this section might be held to require the compulsory voting law to deny

a voter's discretion in voting—as for example in refusing to vote for either of two equally bad candidates.

Your committee has made but two minor changes in this section. The words "right of suffrage" have been shortened to read "suffrage" because the term "suffrage" means the right or privilege of voting. (Oxford Dictionary). The words "persons possessing such right" have been changed to read "persons entitled to vote."

A new section. In commenting on Section 8 of the reference draft attention has been called to Section 9 of your committee's draft. In the case of *Plummer* v. *Yost,* 144 Ill. 68, 1893, and in *Scown* v. *Czarnecki,* 264 Ill. 305, 1914, the Supreme Court held that the word "election" as used in Section 1 of Article 7 of the Constitution of 1870 did not include statutory elections. Such a construction affects the entire article as well as the first section. (See dissenting opinion in the latter case). The debates of this Convention indicate clearly that it was the intention to override this construction. In the judgment of your committee the most effective way to do this is by adding another section.

The report of your committee here presented has been submitted to and approved by the chairman of the Committee on Suffrage and Elections.

Report No. 8.

YOUR COMMITTEE ON PHRASEOLOGY AND STYLE, TO WHICH WAS REFERRED A PROPOSAL ENTITLED CHICAGO AND COOK COUNTY (INTRODUCTION NO. 385, REFERENCE NO. 17), AS AMENDED IN COMMITTEE OF THE WHOLE, RESPECTFULLY REPORTS THAT IT HAS CONSIDERED SUCH PROPOSAL AND HEREWITH SETS FORTH IN PARALLEL COLUMNS ARTICLE I OF SAID PROPOSAL AS ADOPTED IN COMMITTEE OF THE WHOLE ON THE LEFT, AND A SUBSTITUTE THEREFOR AS RECOMMENDED BY THIS COMMITTEE ON THE RIGHT.

RESOLVED, *That the following shall become a part of the Constitution of Illinois:*

ARTICLE I.

Section 1. Except as expressly limited by law the city of Chicago is hereby granted and declared to possess full and complete powers of local self-government and corporate action for all municipal purposes. The city may assess and collect taxes and borrow money for corporate purposes only as authorized by law.	Section 1. Except as expressly prohibited by law, the city of Chicago is hereby declared to possess, for all municipal purposes, full and complete power of local self-government and corporate action. Until otherwise provided by charter these powers shall be exercised by or in accordance with city ordinances. The city may impose taxes and borrow money only as authorized by law.

Section 2. Charter Convention. The legislative authority of the city of Chicago may provide for the calling of an elective convention to frame a city charter, or to amend any existing charter, and the power hereby granted shall be a continuing power. The question whether a convention shall be called shall be submitted at an election held prior to the election for delegates. The charter framed by the convention and all amendments thereof, proposed as provided therein, shall be submitted to and adopted by the voters of the city in the manner provided by the convention. The election laws of the State and the powers and duties existing thereunder may, by the legislative authority of the city, or by the convention, be made available for the purpose of the charter. The General Assembly may enact further election laws in aid of this section.

Provisions of the charter, or of amendments of or additions to the charter, or ordinances passed in pursuance thereof, which relate to the organization of the government of the city, to the distribution of powers among its official agencies or to the tenure and compensation of its officials shall prevail over the statutes of the State in conflict therewith. In other matters the charter or ordinances passed thereunder shall conform to the State law.

A certified copy of said charter or any amendment thereto shall be filed with the Secretary of State within thirty days after its adoption by referendum vote and shall not take effect until so filed.

Rates of compensation, as well as conditions of appointment and promotion in the civil service of the city shall be determined according to a general plan, which shall recognize merit and fitness as controlling principles.

Section 2. The legislative authority of the city, from time to time, may submit to the voters a proposal to call a convention to frame a city charter. Upon approval of the proposal by a majority of those voting thereon, the legislative authority of the city may provide for an election of delegates to such convention. The charter and all amendments (which shall be made only as provided therein) shall be submitted to the voters in such manner as the convention or charter provides. The State election laws and the powers and duties existing thereunder shall be available for the purposes of this section; and further election laws may be passed in its aid.

Provisions of the charter and its amendments and of all ordinances passed thereunder regulating the organization of the city government, the division of power among its official agencies and the tenure and compensation of its officers and employees, shall prevail over State laws in conflict therewith. In other respects the charter and ordinances passed thereunder shall not be in conflict with State laws.

Neither the charter nor its amendments, nor ordinances passed thereunder, shall impair the rights concerning civil service appointments, promotions or removals secured by the present laws.

Before a charter or any amendment thereof takes effect a copy shall be filed with the Secretary of State.

Section 3. Eminent Domain. The city of Chicago shall have power to condemn private property (including public utilities and the privileges or licenses held in connection therewith) for public use in accordance with law. The power to condemn property lying outside of the corporate limits shall be determined by law.

Section 3. In the exercise of the power of eminent domain by the city of Chicago, public utilities and their privileges and licenses shall be considered private property.

Section 4. Public Utilities. The power of the city to own, acquire, construct, operate or let or lease for operation public utilities, or to sell the same or the product or service thereof, shall not be denied by law, but may be reasonably regulated by general law.

Section 4. The General Assembly shall not deny, but by general law may reasonably regulate, the power of the city to own, acquire, construct, operate, sell, lease or let public utilities or to sell the product or service thereof.

Section 5. The city shall be authorized to join with any other municipality, in such manner as may be provided by law, for the joint construction of local improvements, public utilities or other local services.

Section 5. The city may join, as provided by law, with any municipal corporation for the construction of local improvements or public utilities or the operation of other local services.

Section 6. Special Legislation and Local Consent. The General Assembly may enact local or special laws relating to the governmental affairs of the city of Chicago, but such laws shall not become effective until consented to by the city. A law which at the time of its enactment is applicable to the governmental affairs of no other city than the city of Chicago shall be deemed a local or special law.

Section 6. Local or special laws affecting the municipal affairs of the city may be enacted, but such laws shall not take effect until the city consents. If a law is applicable, when enacted, to the municipal affairs of the city of Chicago only, it is a local or special law.

Section 7. The consent of the city shall also be required for the creation or for the enlargement of any municipal corporation (other than a county) exercising taxing powers in any part of the city of Chicago or for the increase of the taxing powers of any such municipal corporation hereafter created or enlarged.

Section 7. Unless the city consents, no municipal corporation (other than a county) exercising taxing powers within the city shall be created or enlarged; nor shall the taxing power of any such corporation hereafter created or enlarged be increased without such consent.

Section 8. The consent of the city, whenever required by this Constitution, shall be expressed by ordinance, and the General Assembly, the city council or the charter may, in addition, require the submission of the proposition to the voters of the city. Any ordinance consenting to the creation, enlargement or consolidation of taxing bodies as provided in this article shall not take effect until ninety days after its enactment, and if within that period either one-third of the members of the legislative authority of the city or five thousand voters demand its submission to popular vote, it shall not take effect until submitted to the voters in accordance with law and approved by a majority of those voting upon the question.

Section 8. The consent of the city, whenever prescribed by this Constitution, shall be expressed by ordinance, but the General Assembly, the City Council or the charter may prescribe in addition the approval of such ordinance by a majority of the voters voting on the question. Any ordinance consenting to the creation, enlargement or consolidation of taxing authorities shall not take effect until ninety days after its enactment, and if within that period either one-third of the City Council or five thousand voters petition the City Council to submit the ordinance to popular vote, it shall not take effect until it is approved at an election by a majority of those voting on the question.

Section 9. Consolidation. Municipalities Wholly Within the City and Overlapping Townships. The charter framed by an elective convention as herein authorized, may provide for the consolidation (in whole or in part) with the City of Chicago, of any or all of the municipal corporations and local governments, boards or authorities exercising taxing-powers or any powers of government confined to the territory now or hereafter embraced within the limits of the city of Chicago. The charter so framed may also provide that where any township embraces territory partly within and partly without the present or future limits of the city, the part within the city shall be detached from such township and consolidated with the city. Any municipal corporation, local government, board or authority consolidated with the city shall be abolished and the city shall assume all the debts and liabilities and succeed to all the rights and property thereof. In case township government shall be consolidated with the city, the powers of township officers, insofar as they relate to the collection of taxes, shall be exercised by the county treasurer, until otherwise provided by law.

Section 10. Consolidation of Sanitary District and of Forest Preserve District. The charter may also provide for the consolidation of the government of the sanitary district of Chicago and of the forest preserve district of Cook County, or of either, with the government of the city of Chicago. Such consolidation shall, as regards each of said districts, be submitted as a separte proposition to the voters of the entire district and shall not become effective unless the vote in its favor shall be cast by a majority of the voters of the district as well as by a majority of the city, voting upon the question. The charter shall prescribe the manner and fix the time of submitting such proposition to a vote. If such proposition shall fail to be approved at any election, it may thereafter be resubmitted from time to time in such manner as the charter may prescribe. It shall be the duty of all election officials responsible for conducting elections within either of said districts or any part thereof, to submit such proposition to the voters thereof

Section 9. The charter framed by the Convention may provide for the consolidation with the city of any or all municipal corporations, local governments, boards or other authorities which exercise powers confined to the limits of the city. The charter may also detach and consolidate with the city that part of any township which lies within the limits of the city. The city shall thereupon succeed to all the powers, property and liabilities of the authority so consolidated with it, and thereupon such authority shall be abolished. Until otherwise provided by law the county treasurer shall collect the taxes in townships or parts thereof consolidated with the city.

Section 10. The charter may provide for the consolidation of the Sanitary District of Chicago and the Forest Preserve District of Cook County, or either of them, with the city. No such consolidation shall be made until it is approved by a majority of those voting on the question in the district and in the city. The proper election officers shall submit such proposition to the voters as directed by the charter. All powers, property and liabilities of either district so consolidated shall devolve upon the city, but the city shall exercise no taxing power over territory beyond its limits, by virtue of such consolidation.

Section 10½. The word charter as used in the two preceding sections includes any amendment. The question of consolidation shall be submitted to be voted on separately from the question of adopting the charter and the charter may provide for resubmitting the question from time to time.

in accordance with the provisions of the charter.

Upon such consolidation becoming effective, the title to and the control and management of all the property then held by the district thus consolidated shall be vested in the city, and the city shall have all powers and assume all debts and liabilities of the district, but shall exercise no taxing powers over territory outside of the city limits by virtue of such consolidation.

The word "charter", as used in this section and the preceding section, shall be construed to include any amendment thereof and the power of consolidation hereby granted shall be deemed to be a continuing power.

Section 11. After consolidation of the sanitary district and until otherwise provided by law, the city shall continue to furnish to the inhabitants of the territory within the district as constituted at the time of the consolidation, but lying beyond the present or future limits of the city, without cost or expense to them or to the municipalities within such territory, sewage disposal service to the extent furnished to them by the district at that time. The General Assembly shall have no power to enlarge the obligation thereby assumed by the city except to require the city to furnish to the inhabitants of the municipalities in such territory, or any part thereof, at their own cost and expense additional or increased service for sewage disposal purposes. All duties or obligations imposed by law at the time of such consolidation for the benefit of the inhabitants of such territory, or any part thereof, upon the city or sanitary district with respect to other forms of service shall be assumed by the city unless it shall be relieved thereof by the General Assembly.

Section 11. After such consolidation of the Sanitary District, and until otherwise provided by law, the city shall furnish without charge sewage disposal service beyond its limits in the territory of the district as constituted at the time of consolidation, but only to the extent then furnished by the district. The General Assembly shall not enlarge this obligation of the city but may require it to furnish increased sewage disposal service to the inhabitants or municipalities in such territory at their expense. Obligations for other forms of service in such territory imposed by law upon the district or the city at the time of consolidation shall be assumed by the city until it is relieved therefrom by the General Assembly.

Section 12. Tax Rate After Consolidation. After consolidation in whole or in part, and until a new tax rate shall have been established by law, the city may levy, in addition to the annual general tax on the property then authorized to be levied, an annual tax equal to the amount of the taxes caused to be extended upon the collector's warrants in the year last preceding the consolidation by the taxing authorities so consolidated with the city.

Section 12. After any consolidation, and until a new tax rate is fixed by law, the city may levy, in addition to the annual tax then authorized to be levied, an annual tax equal to the amount of taxes caused to be extended by the authorities so consolidated, upon the collector's warrants in the year last preceding the consolidation.

Section 13. Park Consolidation Act Preserved. The foregoing provisions concerning consolidation shall not affect the right of the city, acting through the city council, or otherwise, to avail itself of the provisions of an Act entitled "An Act to consolidate in the government of the city of Chicago the powers and functions now vested in local governments and authorities within the territory of said city and to make provision concerning the same", approved June 29th, 1915, or any amendment thereof.

Section 14. Legislative Consolidation. The General Assembly may provide additional or alternative methods for the consolidation of local governments with the city of Chicago, subject to the consent of the city.

Section 15. Debt Limit After Consolidation. The city of Chicago, in the event of any one or more of the municipal corporations lying wholly or partly within said city becoming consolidated therewith, and in the event of said city becoming liable for the indebtedness of any such municipal corporations, may become indebted to an amount (including its existing indebtedness and the indebtedness of all municipal corporations lying wholly within the limits of said city, and said city's proportionate share of the indebtedness of the County of Cook, the Forest Preserve District of Cook County, and the Sanitary District of Chicago) in the aggregate not exceeding five per centum of the full value of the taxable property within its limits as ascertained by the last assessment for State and county taxes previous to the incurring of such indebtedness, but no new bonded indebtedness (other than for refunding purposes) shall be incurred until the proposition therefor shall be consented to by a majority of the legal voters of said city voting upon the question. The city's proportionate share of the indebtedness of the County of Cook and of other municipal corporations herein named shall bear the same ratio of the entire indebtedness thereof as the value of the taxable property of such municipal corporations within the city bears to the

Section 16. The rights of the city under the Act for the Consolidation of Local Governments, approved June 29, 1915, or any amendment thereof, are not affected by the foregoing provisions.

Section 17. The General Assembly may provide additional or alternative methods for consolidating local governments within the city of Chicago subject to its consent.

Section 13. If any municipal corporation is consolidated with the city, the city may become indebted in the aggregate to an amount not exceeding five per cent of the full value of the taxable property within its limits. In computing this aggregate amount the existing indebtedness of the city and the indebtedness of all municipal corporations lying wholly within the limits of the city and the city's proportionate share of the indebtedness of the County of Cook, the Forest Preserve District and the Sanitary District shall be included. The city's share of the debt of any of these corporations shall be determined by the proportion within the city of the taxable value of the property in such corporation.

No new bonded indebtedness shall be incurred by the city for other than refunding purposes without the approval of the majority of the voters voting on the question.

value of the entire taxable property of such municipal corporations as ascertained by the last assessment for State and county purposes.

Section 16. No municipal corporation hereafter created within the County of Cook having territory covering the territory of the city of Chicago or any part thereof shall be allowed to become indebted otherwise than to the extent of its current annual revenues.

Section 15. No municipal corporation hereafter created covering any part of the territory of the city shall become indebted otherwise than to the extent of its current annual revenues.

Section 17. Subject to Sections 8, 9, 10, 11 and 12 of the Revenue Article, the General Assembly shall have power to permit the city of Chicago after the consolidation with said city of all of the municipal corporations lying wholly or partly within said city, to become indebted to an amount to be fixed by it in the aggregate exceeding the limit prescribed by this Constitution, but such action of the General Assembly shall not become effective until approved by an ordinance of the legislative authority of the city agreed to by two-thirds vote of its full membership and by a favorable vote of three-fifths of the voters of the city voting upon the question.

Such an ordinance shall not be adopted oftener than once in ten years and the maximum limit of indebtedness, when so extended, shall never exceed ten per cent of the full value of the taxable property within the corporate limits of the city of Chicago as ascertained by the last assessment for State and county taxes.

Such an ordinance if rejected shall not be resubmitted within two years from the date of such original submission.

The limit of special indebtedness made possible under Sections 9, 10 and 11 of the Revenue Article shall in no case be increased under the provisions of this section.

Section 14. The General Assembly may authorize the city (after consolidation with the city of all the municipal corporations, other than the County of Cook, lying wholly or partly therein) to become indebted, in the aggregate, up to ten per cent of the full value of all taxable property within the city. Any increase of this debt limit under this authority shall require an ordinance passed by two-thirds of those elected to the legislative authority of the city and approved by three-fifths of the voters of the city voting on the question.

Such an ordinance shall not be passed oftener than once in ten years, and if rejected shall not be resubmitted within two years from the date of its original submission.

Any indebtedness for the acquisition, construction or operation of the public utilities authorized in Section 12 of the Revenue Article shall be incurred only as provided in that article. The amount of taxable property in any area referred to in this and the preceding section shall be ascertained by the last assessment for State and county taxes.

Respectfully submitted,

ELAM L. CLARKE, *Chairman*,
THOS. RINAKER,
CHARLES B. T. MOORE,
E. H. DUPEE,
H. E. TORRANCE,
GEORGE A. BARR,
EDWARD H. BREWSTER.

IN RE PROPOSAL NO. 385.

Memorandum from Committee on Phraseology and Style, Accompanying Report on Proposal No. 385, being a Proposal Entitled Chicago and Cook County.

ARTICLE I.

This article has presented to your committee a problem different from and in some respects more difficult than any heretofore faced; first, because of the newness of the subject of Municpal Home Rule, and second, because of the complexity of the overlapping governmental agencies in the city of Chicago. For these reasons your committee desires to reserve certain questions raised by this proposal for further consideration upon the next reference to this committee.

The recent origin of the subject of municipal home rule in constitutional law becomes apparent when the various state constitutions are examined. Beginning with Missouri in 1875, thirteen states (or a little more than one-fourth of all the states in the Union) have granted home rule to cities through constitutional provisions. These states are: California (1879), Washington (1889), Minnesota (1896), Colorado (1902), Oregon (1906), Oklahoma (1907), Michigan (1908), Arizona (1912), Nebraska (1912), Ohio (1912), Texas (1912) and Maryland (1915). In Wisconsin and New York efforts to secure home rule for cities through constitutional amendments have been made, but without success. The New York Constitution proposed in 1915 also contained a provision for home rule, but that constitution, as is well known, was rejected by the people. The geographical location of these so-called "home rule" states is worth noting; for, with the exception of Maryland, all of them are either in the central or western part of the United States.

The texts of these constitutional provisions have a scant degree of uniformity, and afford little help in the problem here presented. It should be said, however, that the differences found in these constitutional provisions are due more to the variety of the questions presented, than to any other factor.

Attention has been called to the fact that the intricate governmental machinery found in the territory covered by the city of Chicago increases the difficulty presented by this article. Twenty-four separate and overlapping authorities levy taxes and exercise other functions of government within the limits of that city. (See for elaborate discussion of this subject, Report of Chicago Bureau of Efficiency, "The Unification of Local Governments in Chicago," January, 1917.) One of the main objects of this article is to authorize the city of Chicago to provide for a systematic consolidation of these overlapping bodies, subject to popular approval. A most difficult problem of legislative drafting is here presented; for to obtain this object—and at the same time to safeguard the method of procedure and protect the rights of the inhabitants of the overlapping municipalities—requires a careful study of the facts involved and a close consideration of the language used. Your com-

mittee fully appreciates the task which the Committee on Chicago and Cook County had before it, and is aware of the great labor bestowed on this article by that committee. Accordingly the reference draft has been altered only where a change seemed necessary to shorten or clarify the language, or make the phraseology uniform with the other redrafts by this committee.

We have spoken of how other states have treated the subject of constitutional home rule. In Illinois the present Constitution does not concern itself with the subject except in certain particulars. Article IX, Section 10, forbids the General Assembly to impose taxes upon municipalities without their consent; Article IX, Section 9, contains certain implied limitations on the General Assembly, growing out of what appears in form as a grant of power to the General Assembly; Article XI, Section 4, forbids the General Assembly to grant street railways the right to lay tracks on city streets without the city's consent; Article IV, Section 22, prohibits the General Assembly from passing local or special laws in a large number of cases, and some of these prohibitions were adopted for the purpose of relieving municipalities from the abuses of such action by the General Assembly (Debates 1870, pp. 590-608); Article IV, Section 34 (as amended in 1904), permits the General Assembly (subject to referendum) to pass certain special laws for the city of Chicago. (Note: This amendment has been practically inoperative due to its complexity of form; the General Assembly has in few instances attempted to legislate under it.) Subject to these exceptions, the doctrine of complete legislative supremacy over municipal affairs has always prevailed and still prevails in the constitutional law of Illinois.

Section 1. The purpose of this section is to make an immediate grant of home rule powers to the city of Chicago. That city now exercises only the powers delegated to it by law, and the maxim *Expressio unius est exclusio alterius,* forbids the city from exercising any powers not enumerated. The Convention, under this section, intends to do three things:

1. To grant "full powers" of home rule to the city.
2. To abolish the above maxim insofar as it applies to the city.
3. To make the grant of powers to the city subject to regulation, and even denial by the General Assembly.

In considering the language of the reference draft one question immediately arises, namely: What officer or officers of the city shall exercise the powers granted? It is clearly the intention of the Convention that the section should be self executing and should not require action by the General Assembly. But there is doubt whether the reference draft would produce the result intended. In fact, similar language in the Constitution of Ohio was denied a self executing effect by the Supreme Court of that state. (*State ex rel.* v. *Lynch,* 88 Ohio State 71, 1913.) The court held that a grant of power in such language is not self executing, because the particular municipal authority which is to exercise the powers granted is not named. The court specifically declared that the city council of the city of Toledo was not "the city,"

and therefore could not exercise powers granted to "the city." To avoid the possibility of a similar construction in this State your committee has suggested that the following sentence be added:

"Until otherwise provided by charter, these powers shall be exercised by or in accordance with city ordinances."

The other changes made by your committee will be taken up in their order and discussed.

The phrase "except as expressly limited by law" has been changed to read "except as expressly prohibited by law." This provision includes (1) such express prohibitions on the power of the city as already exist, and (2) such express prohibitions as may be made by the General Assembly in the future. The word "limited" as used in the reference draft, seems to your committee unfortunate because it is a word of loose meaning. No person can say exactly what "expressly limited by law" means. For this reason the word "prohibited" has been substituted, since that word conveys the particular meaning here intended. The word "expressly" has itself given your committee some concern, since that word also has a variety of meanings. Primarily the word means anything that is "pressed out," or that logically flows from the language used. As retained by your committee, the word "expressly" is intended as an antonym of the word "impliedly."

The word "granted" has been omitted as redundant.

The phrase "for all municipal purposes" is intended to modify, (a) "local self government," and (b) "corporate action." Accordingly the second sentence of the section has been rearranged to secure this result.

The provision, "The city may assess and collect taxes * * * only as authorized by law," does not express the intention of the Convention, since the city neither "assesses" nor "collects" taxes at the present time. The provision is intended to preserve the power of the General Assembly over taxation, and has therefore been changed to read, "The city may impose taxes * * * only as authorized by law." Obviously if the city is forbidden to impose taxes except as authorized by law, it cannot *assess* or *collect* them.

The words "for corporate purposes," in the same sentence, have been omitted as unnecessary, since the city cannot borrow money except for corporate purposes.

Your committee calls attention to the fact that many of the terms used in this section, and in fact in the entire article, are comparatively new. Thus, the terms "corporate action" and "municipal purposes" have not previously been used in constitutional provisions granting "home rule" to cities, but have been used in other connections. See Words and Phrases, Vol. 5, p. 4629; Pope's Legal Definitions, Vol. 2, p. 993). The term "local self government" has been used in the home rule provisions of the constitutions of Ohio and Colorado. (Constitution of Ohio, Article XVIII, Sections 3 and 7; Constitution of Colorado, Article XX, Section 6.) Your committee believes, however, that the newness of these words and phrases is not a sufficient reason for dropping them, since other terms equally new would have to be substituted.

Section 2. This section authorizes the city to frame a charter by means of the so-called "Charter Convention" plan. Three elections are required for this purpose:

1. A referendum on the question of calling the Convention.
2. An election for delegates to the Convention itself.
3. A referendum on the charter framed by the Convention.

It will be noted that the second election is provided for by the first sentence of the reference draft, while the second sentence provides for the first election. The section has been revised so that all three elections are expressed in chronological order.

The reference draft is defective, because it is not self executing, and legislation would probably be required to carry out its provisions. A number of questions are left open. Thus it might be asked: How, when and by whom is the submission required by the second sentence to be made? Is there to be a single charter convention, or may there be further conventions in the future? Will the charter framed by the convention exclusively provide for its own amendment? Or may another convention also be called to suggest amendments only?

In view of the Convention's apparent purpose to make the section self executing, and in view of the lack of precedents to guide either the courts or other officials who may be called upon to construe its provisions, your committee has sought for language which will make as clear as possible; (1) by whom the powers are to be exercised, (2) how they are to be exercised, and (3) when they may be exercised.

Here again the changes made in the section will be taken up and discussed in their order.

The clause, "and the power hereby granted shall be a continuing power," has been expressed by the phrase "from time to time."

The word "elective" before the word "convention" becomes unnecessary, when the election for the convention is prescribed. Your committee believes there should be a direct and positive requirement for this election.

The phrase, "or to amend any existing charter," has been omitted. Your committee assumes that the power to call a convention to "frame" a charter necessarily implies the power to call a convention to "amend" it.

In the third sentence of the reference draft the words "framed by the convention" have been omitted as unnecessary.

In the same sentence the words "proposed as provided therein" are loose and ambiguous. Moreover, as already suggested, they do not indicate whether or not amendments may be made in some other manner. Accordingly this idea has been rendered by the parenthetical clause "(which shall be made only as provided therein)". This manner of amendment is obviously exclusive.

The words in this sentence, "and adopted by," have been omitted by your committee, since they add nothing to the meaning of the section. In form at least, they require the voters to "adopt" the amendment—a meaning which is not intended.

The last two sentences of the first paragraph of the reference draft have been condensed into a single sentence. However, the phraseology has not been changed, and it will be apparent that the meaning is the same.

The second paragraph of the section is intended to make the charter and its amendments and ordinances passed under the charter, superior to the laws of the State, but only in so far as matters of local municipal government are concerned. Your committee has tried in certain respects to clarify the phraseology used.

The clause, "or of amendments of, or additions to the charter" has been condensed into the words "and its amendments." The sense here is conjunctive and not disjunctive. Moreover, "the charter and its amendments" necessarily includes all "additions" to the charter.

The phrase "or ordinances passed in pursuance thereof" has been changed to, "of all ordinances passed thereunder."

The verb "relate" is a word of vague meaning; it may mean, "to refer to," "to touch upon" or even "to pertain to" (Century Dictionary). Your committee is of the opinion that the word "regulate" better expresses the idea here intended.

The meaning of the verb "conform" as it is used in the reference draft is uncertain. In what respect shall the charter or ordinances "conform" to the law of the State? Shall they "conform" as to substance; or as to style and phraseology; or as to manner of passage; or as to all of these combined? These questions cannot be answered from an examination of the language used. The intent of this sentence is to require that the charter and ordinances shall be in harmony with the laws of the State in matters of substance—subject to the exceptions created by the previous sentence. Accordingly your committee has rephrased the sentence to secure this result.

The order of the last two paragraphs of the reference draft is obviously reversed, and they have therefore been rearranged.

The paragraph concerning "civil service" was inserted to protect the interests of the present civil service employees of the city. Your committee believes that this provision is open to the following objections:

1. The words "civil service of the city" might be construed to include all officers and employees of the city. Such a construction is wider than the meaning given to the words "the civil service" in the Civil Service Acts. Indeed those Acts expressly *exempt* from their provisions, certain of the employees of the city.

2. The provisions for "a general plan" would probably deny the power to give special privileges or preferences to certain classes, which are now generally recognized as being entitled to preference; for example, war veterans.

3. The words "merit and fitness" are vague and set up no definite standard. (*People ex rel.* v. *Knauber,* 57 N. Y. Supp. 782, 1899.) Moreover their application to "rates of compensation" introduces a new element into the subject of civil service law. An examination of the

existing Civil Service Act discloses no such standard regarding rates of pay.

As redrafted by your committee, the paragraph is intended to express the real purpose of the Convention regarding the rights of the civil service employees of the city.

The wording of the reference draft regarding filing of a "certified" copy of the charter within "thirty days" seems to your committee to be unfortunate for a number of reasons:

1. The provision regarding a thirty days limitation might be given a literal interpretation by the courts. In the event of a contested election it might then be too late to file the charter after the final decision on the contest. If the election contest were successful, filing within the thirty days would be futile.

2. Or suppose that some error or oversight intervened and the charter was in fact not filed until after thirty days. Would all of the labor and expense for the charter then be thrown away because of the blunder of some official or his clerk?

3. If a "certified" copy is certified in error and is not a true copy —what then would be the result? Could a true copy be filed later on, after the thirty days?

4. There is no specification as to who shall certify the copy. Shall it be certified by the Board of Election Commissioners, the City Clerk, Secretary of the City Council, or by some other officer?

In view of these questions and others which might be raised, the provisions as to "thirty days" and the provisions as to a "certified" copy have both been omitted. This change has been made after conference with the Chairman of the Committee on Chicago and Cook County.

From the point of view of logical arrangement, Section 2 is out of place and will probably be relocated in the article on the next reference to your committee.

SECTION 3. Your committee at first was inclined to suggest striking out this section for the following reasons:

1. The city, like all other cities, now has the power to condemn private property for public use by virtue of Section 13 of the Bill of Rights, and the eminent domain statutes.

2. The property of public utilities (like the property of other corporations) and their licenses and franchises have been held to be private property and are already subject to condemnation under eminent domain. (*Mitchell* v. *I. St. L. Ry. & C. Co.*, 68 Ill., p. 286, 1873.)

3. The second sentence of the section is neither a grant of power to the city nor to the General Assembly. (Note: The idea intended to be conveyed by this sentence, but which is not conveyed, has been fully expressed, as your committee believes, in its revision of the section.)

The main reason for the section is to emphasize the thought (inferentially contained in the reference draft) that the power of the city in regard to eminent domain is superior to the power of any public utility. As redrafted, the section is also intended as an express recog-

nition of the general power of the city in eminent domain over all kinds of private property.

SECTION 4. The form of this section has been changed from the active to the passive voice. This arrangement expresses more directly the meaning intended and avoids the use of the adjective "same" as a pronoun.

SECTION 5. The Supreme Court has held that local improvements could not be jointly constructed by two municipalities. (*Loeffler* v. *Chicago,* 246 Ill. 43, 1910.) The purpose of this section is to overrule that case so far as it concerns the city of Chicago.

The redundant expression "the city may join * * * for the joint construction" has been revised and shortened.

In the debates in Committee of the Whole, this section was amended. By the amendment the words "or operation," which appeared in the report of the Committee on Chicago and Cook County, were stricken out. Your committee is advised that the phrase "other local services" was intended by the Committee on Chicago and Cook County, to cover such services as garbage removal, street cleaning and other public work; that is, such "local services" as may be "operated" without buildings or extensive equipment owned by the city. Your committee understands further that the purpose of the amendment in Committee of the Whole was to prohibit "operation" of "local improvements" and "public utilities"; the amendment was not intended to prohibit the "operation" of other "local services" of the character indicated. Accordingly, the words "or operation" have been inserted before the words "local services", in order that this provision of the section may be given its full meaning. If your committee has misinterpreted the intention of the Convention, then the entire clause should be revised.

The words "other local services" are themselves uncertain in meaning. In spite of the suggestion given above as to their meaning (garbage removal, etc.), your committee cannot be sure how these words will be construed in the future.

SECTION 6. It seems desirable to avoid the redundant expression "the General Assembly may enact laws," since any enactment of the General Assembly is necessarily a law.

Attention has been called in the discussion of a prior section to the vague meaning of the word "relate." The word "relating" in the first clause of the first sentence therefore has been changed to the word "affecting."

The words "governmental affairs" have been changed to "municipal affairs," since the latter phrase has had the construction of the courts and is less liable to misinterpretation. (See Words and Phrases, Vol. 5, p. 4619.)

SECTION 7. This section has not been changed except to rearrange it with a view to condensation. The substance of the section raises certain questions, to which attention should be called.

In the first place, it will be noted that the section prescribes "consent" of the city for any enlargement (even the slightest) either of the

bodies themselves (which exercise taxing powers within the city) or of the taxing powers of such bodies, as "hereafter created or enlarged."

Your committee also has had difficulty with the phrase "increase of the taxing powers." Does it mean only by a direct increase in the tax rate? Or does the meaning contemplate also a change in the ratio existing between full value and assessed value, whereby the same result would be reached?

Another question grows out of the fact that under present statutes the tax rate of some of these municipalities is fixed by reference to the tax rate of other municipalities. (See the so-called "Juul Law;" Hurd's Revised Statutes 1919, Chap. 24, p. 343.) Would an amendment (to such an act) which did not directly affect the tax rate of the bodies here involved, fall within the scope of this section?

Your committee is unable to answer these questions, since it cannot discover from the language, nor from the Debates, what was the intention of the Convention. Accordingly a reconsideration of this section is suggested.

SECTION 8. In the first sentence of this section the word "require" has been changed to "prescribe," since it is hardly accurate to speak of the Constitution "requiring" consent of the city.

The word "and" in the first sentence has been changed to "but," since the two main clauses of the sentence are antithetical and not conjunctive.

The provision of the reference draft regarding consent of the city is vague. No one can say whether the language requires a "majority of all those voting at the election" at which the question is submitted, or requires merely a "majority of those voting on the question" at such an election. To make the provision definite, and to make it uniform with similar provisions elsewhere in the Constitution, the provision has been redrafted as indicated.

The provision in the second sentence of the reference draft that the legislative authority of the city or five thousand voters may "demand" submission of the ordinances to popular vote, is uncertain. How will the demand be made—that is, in writing, or by public appearance before the City Council, or otherwise? Upon whom shall the demand be made, the City Council, the Election Commissioners, or upon some other authority? Who, if anyone, shall be compelled to act when the demand is made? Could a recalcitrant majority of the City Council refuse to submit the question and thereby defeat the purpose of this provision? It would probably be necessary to call upon the General Assembly to answer some or all of these questions.

Your committee has sought to obviate these difficulties and to make the provision self executing by requiring; (1) that the demand shall be made upon the City Council, (2) that the demand shall be by "petition," which is defined as a "formal written request," and (3) by compelling the City Council, when such a petition is made, to submit the question to popular vote before the ordinance can take effect.

SECTION 9. This section logically should follow Section 2, since Section 9 can have no application until the charter has first been framed.

The language of the reference draft has been condensed about one-half, but with no intention to change its meaning.

The words "now or hereafter" are unnecessary, since the Constitution is always construed as presently speaking.

The county collector of Cook County now acts as township collector of taxes for the townships within the city of Chicago. He is required, in his capacity as township collector, to account to himself in his capacity as county collector. Your committee is advised that a very large expense (approximately $50,000) is incurred annually by the county collector in performing this duty. The last sentence of the reference draft is intended to avoid this expenditure, but does not clearly do so. In order to insure this result, the sentence has been revised to read as indicated.

SECTION 10. This section has been substantially condensed, but the various changes made need not be considered in detail.

The third sentence of the reference draft has been omitted since its meaning is really covered by the last sentence of the paragraph.

It has seemed best to rearrange certain of the ideas of this section which are applicable also to Section 9, and to place them in a separate section, which is designated as Section 10½ in your committee's report. It will be noted that by this arrangement the relationship between Sections 9 and 10 is made much clearer. It will also be noted that the provision requiring consolidation to be submitted as a "separate proposition" is thereby made applicable to both sections and need not be repeated. Moreover, the vagueness of the term "continuing power" is avoided, since the last clause of the sentence, where that term is used, becomes unnecessary. This rearrangement of Section 10 and the addition of the extra section has had the approval of the chairman of the Committee on Chicago and Cook County.

SECTION 11. The detailed changes made in this section need not be discussed, since the section in its revised form seems to cover exactly the same ground as the reference draft. The sentences of the section have been rearranged in what is believed to be a more logical form.

The phrase "present or future limits of the city" has been changed to "its limits," on the theory previously explained that the Constitution is always construed as presently speaking. It is assumed that the phrase "limits of the city" refers to the limits at whatever time the provision in question is to be applied.

The phrase "except to require" has been changed to "but may require," to express more clearly the meaning intended.

The word "own" has been omitted, because it adds nothing to the meaning of the sentence.

A typographical errors occurs in the second sentence of the reference draft. The phrase, "inhabitants *of* the municipalities," should read "inhabitants *or* municipalities."

SECTION 12. Few changes have been made in this section.

The words "after consolidation in whole or part" have been shortened to "after any consolidation."

The verb "established" has been changed to "fixed," and the form of the verb changed to the present tense.

The phrase "annual general tax on property" has been shortened to "annual tax," since the meaning is the same.

The word "taxing" before the word "authorities" has been omitted as unnecessary.

In the reference draft the section ends with a series of adverbial and prepositional phrases, beginning with the word "upon." The sentence structure here is badly strung out. The sentence has been shortened and condensed, and the order of the phrases rearranged.

SECTION 13. Your committee has seriously considered suggesting the elimination of this section, since "consolidation" under the act in question is no longer practicable, because of the low tax rate (1.6 per cent of the assessed value) fixed by the act. Another reason for omitting the section is that under Section 14 of this article the act in question may at any time be amended or repealed. However, for the present the section has merely been shortened to read as indicated.

Probably on second reference to this committee the section will be placed in the schedule.

SECTION 14. The only change made in this section is to condense the phrase "subject to the consent of the city" to read "subject to its consent."

SECTION 15. If this section is analyzed it will be found to contain the following elements:

1. After consolidating any of the enumerated corporations, the city may be become indebted to an "aggregate" amount, for *general corporate purposes,* not to exceed five per cent of the full value of all property within its limits.

2. In computing this "aggregate" amount, the "existing" indebtedness of (1) the city of Chicago, (2) all municipal corporations within the city, and (3) the city's share of the debt of (a) Cook County, (b) the Forest Preserve District, and (c) the Sanitary District, shall be included.

3. The city's share of (a), (b) and (c) above, shall be ascertained by the ratio which the taxable value of the property in these corporations, within the limits of the city, bears to the total taxable value of the property in such corporations.

4. Such taxable value shall be ascertained by the last assessment for State and county taxes.

5. No new bonded indebtedness shall be incurred by the city for other than "refunding" purposes without a referendum.

The substance of this section is taken from Section 34 of Article IV of the present Constitution. That section has often been criticised because of the length of its main sentence. It should be noted that the first sentence of the reference draft is very long, containing 168 words. In revising the section the five elements outlined above have been separated, and each has been expressed in a separate sentence. This has necessitated a rewriting of the entire section.

Element No. "4" above is repeated in Section 17 of the reference draft. Accordingly this provision has been omitted from this section, and in the redraft of Section 17 has been made applicable to both sections.

The words "lying wholly or partly within said city" have been omitted, because the previous sections enumerate specifically the corporations which may be consolidated, and the phrase quoted is therefore redundant.

The provision "in the event of said city becoming liable for the indebtedness of any such municipal corporation" has been dropped, because the previous sections prescribe that the city shall become liable for such indebtedness upon consolidation.

SECTION 16. The purpose of this section is to prevent the creation within the city of Chicago (after adoption of this article) of any corporation having power to incur a bonded indebtedness. But the inclusion of the words "within the County of Cook" are subversive of this purpose. Under these words any additional taxing body, with debt incurring powers, might be created in the city, if any part of such body extended beyond the limits of Cook County. For example, if even a small part of Lake County (or Will County or DuPage County) were included in such "corporation," then the "corporation" could be extended over the entire area of the city and could be given additional debt incurring power. Accordingly the words "within the County of Cook" have been eliminated.

The phrase "allowed to become indebted otherwise than to the extent of its current annual revenues" is vague. How can such "revenues" be estimated in advance at the time the debt is sought to be created? Again, since revenues are sometimes derived by other means than direct taxation, how is it possible to predict in advance what "the current annual revenues" will be? Indeed, how can it be ascertained in advance what amount will be raised in any year, even by direct taxation? Finally, under this language, could not the corporation become indebted each year up to the extent of its "current revenues" for that year, and then use its revenues for other purposes than for taking care of that debt?

In order to avoid these difficulties, and to express more accurately the intention of the Committee of the Whole, some better method of measuring the debt limit permitted by the section should be adopted by the Convention.

SECTION 17. This section when analyzed will be found to contain the following elements:

1. The section is made subject to Sections 8 to 12 of the Revenue Article.

2. After complete consolidation, the city may become indebted (for general corporate purposes) up to ten per cent of the full value of all the taxable property in the city; but the General Assembly must first provide an enabling act, and that act must be approved by, (a) an ordinance passed by two-thirds of all the members elected to the legislative authority of the city, and (b) a three-fifths vote of those voting on the question at a referendum.

3. This ten per cent is in addition to the five per cent authorized by Section 15 of the reference draft.

4. Such an ordinance cannot be passed oftener than once in ten years.

5. If the ordinance is rejected at the referendum, it cannot be again submitted within two years.

6. The special indebtedness made possible in the Revenue Article cannot be increased under this section.

7. The amount of taxable property is to be ascertained according to the last assessment for State and county taxes.

The section has been redrafted to express more clearly these various elements.

The clause, "subject to Sections 8, 9, 10, 11 and 12 of the Revenue Article," and the last paragraph of the section have been combined into the sentence:

> "Any indebtedness for the acquisition, construction or operation of the public utilities described in Section 12 of the Revenue Article shall be incurred only as provided in that article."

Attention should be called to the fact that the proposed Revenue Article permits municipalities (including the city of Chicago) to incur a further indebtedness of fifteen per cent of the taxable real property in addition to that allowed elsewhere in the Constitution, but only for the purpose of financing public utilities. The result is that the aggregate bonded indebtedness which may be incurred by the city of Chicago under the proposed Constitution is limited to fifteen per cent of the full value of the taxable property within the city, plus fifteen per cent of the taxable real property.

The language above quoted has been chosen, (after consultation with the mover of the amendments to this section in the Committee of the Whole, and with the chairman of Committee on Chicago and Cook County) for the purpose of making this result definite and sure. The provision quoted is in part a repetition of that found in Section 12 of the Revenue Article, but your committee believes that this sentence should be inserted at the point indicated.

If the language of the reference draft, regarding element No. "2" above, is examined, it will be seen:

1. That the General Assembly may pass an enabling act regarding an increase in the debt of the city.

2. That act however, must be "approved" by an ordinance of the city passed by a two-thirds majority.

3. The act also must be "approved" by the voters of the city at a referendum, in which three-fifths of those voting on the question must vote favorably.

In this connection a number of questions are raised:

(a) Does the act of the General Assembly merely "permit" the city to increase its debt; or must the act itself fix the terms under which the debt is to be increased?

(b) Does the "ordinance" approving the act, do nothing more than express approval of the action of the General Assembly; or must the "ordinance" fix such terms?

(c) Is a separate ordinance necessary to carry out the authority granted by the General Assembly to the city?

(d) Is one referendum intended for the act of the General Assembly, and another for the city "ordinance?"

(e) If the "ordinance" merely approves the act of the General Assembly, must a subsequent ordinance, fixing the terms under which the debt may be increased, be subject to a further referendum?

It is the understanding of your committee that the Convention intended to require a referendum on the *actual proposal* to increase the debt of the city. It will be seen from the above analysis that the reference draft does not in terms require a referendum on the actual proposal. Accordingly the substance of this portion of the section has been revised. Under the revision four things are made clear:

1. The General Assembly in its discretion is free to grant or to refuse power to the city to increase its debt limit.

2. If the city decides to exercise the power granted, such exercise must be carried out by an ordinance.

3. Any such ordinance must be passed by two-thirds of all those elected to the legislative authority of the city.

4. Any such ordinance must also be approved at a referendum by three-fifths of all those voting on the question.

If this revision does not express the intention of the Convention, then the portion of the section here in question should be reconsidered in Committee of the Whole.

The clause "the General Assembly shall have power to permit" has been changed to "the General Assembly may permit."

The phrase "within said city" has been changed to the word "therein."

The words "such action of the General Assembly" have been shortened to "such law."

It will be noted that your committee, in its redraft, has changed the order of the sections after Section 12 of the reference draft. The logic of putting Section 14 of the reference draft last is obvious. The section regarding the Park Consolidation Act (Section 13 of the reference draft) should logically be next to the last section. Section 16 of the reference draft should logically come after Sections 15 and 17 respectively of the reference draft. This rearrangement makes the context of the various sections clearer, and moreover conforms to the simple rules of rhetorical composition.

It will be seen from this memorandum that your committee has consulted the chairman of the Committee on Chicago and Cook County in regard to all the changes made. The redraft of your committee here presented has been submitted to and approved by him.

Report No. 9.

YOUR COMMITTEE ON PHRASEOLOGY AND STYLE, TO WHICH WAS REFERRED A PROPOSAL ENTITLED BILL OF RIGHTS, (INTRODUCTION NO. 376, REFERENCE NO. 15) AS AMENDED IN COMMITTEE OF THE WHOLE, RESPECTFULLY REPORTS THAT IT HAS CONSIDERED SUCH PROPOSAL AND HEREWITH SETS FORTH IN PARALLEL COLUMNS SAID PROPOSAL AS ADOPTED IN COMMITTEE OF THE WHOLE ON THE LEFT, AND A SUBSTITUTE THEREFORE AS RECOMMENDED BY THIS COMMITTEE ON THE RIGHT.

RESOLVED, *That the following shall become a part of the Constitution of Illinois:*

Section 1. All men are by nature free and independent, and have certain inherent and inalienable rights —among these are life, liberty and the pursuit of happiness. To secure these rights and the protection of property, governments are instituted among men, deriving their just powers from the consent of the governed.	Section 1. All men are by nature free and independent, and have certain inherent and inalienable rights; among these are life, liberty and the pursuit of happiness. To secure these rights and the protection of property, governments are instituted among men, deriving their just powers from the consent of the governed. A frequent recurrence to the fundamental principles of civil government is necessary to preserve the blessings of liberty.
Section 2. No person shall be deprived of life, liberty or property without due process of law.	Section 2. (No change suggested.)
Section 3. The free exercise and enjoyment of religious profession and worship, without discrimination, shall forever be guaranteed; and no person shall be denied any civil or political right, privilege or capacity, on account of his religious opinions; but the liberty of conscience hereby secured shall not be construed to dispense with oaths or affirmations, excuse acts of licentiousness, or justify practices inconsistent with the peace or safety of the State. No person shall be required to attend or support any ministry or place of worship against his consent, nor shall any preferences be given by law to any religious denomination or mode of worship. The reading in the public schools, of selections from any version of the old and new testaments, without comment, shall never be held to be in conflict with this Constitution.	Section 3. (No change suggested.)

Section 4. Every person may freely speak, write and publish on all subjects, being responsible for the abuse of that liberty; and in all trials for libel, both civil and criminal, the truth, when published with good motives and for justifiable ends, shall be a sufficient defense.

Section 4. Every person may freely speak, write or publish on any subject, but is responsible for the abuse of this liberty. In trials for libel, civil or criminal, the truth, when published with good motives and for justifiable ends, is a sufficient defense.

Section 5. The right of trial by jury as heretofore enjoyed, except as herein modified, shall remain inviolate, but may be waived in all but capital cases. The trial of civil cases by a jury of less than twelve, and less than an unanimous verdict in civil cases may be authorized by law. Women shall be eligible to jury service, but shall not be required to serve.

Section 5. The right of trial by jury shall remain inviolate. A jury may be waived except in capital cases. Women shall be eligible but not required to serve as jurors. In civil cases juries of less than twelve and verdicts not unanimous may be authorized by law.

Section 6. The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures, shall not be violated; and no warrant, shall issue without probable cause, supported by affidavit, particularly describing the place to be searched, and the persons or things to be seized.

Section 6. (No change suggested.)

Section 7. All persons shall be bailable, by sufficient sureties, except for capital offenses, where proof is evident or the presumption great; and the privilege of the writ of *habeas corpus* shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it.

Section 7. All persons shall be bailable by sufficient sureties, except for capital offenses where the proof is evident or the presumption great. The privilege of the writ of *habeas corpus* shall not be suspended, unless in cases of rebellion or invasion the public safety may require it.

Section 8. No person shall be held to answer for a criminal offense, unless on indictment of a grand jury, or, in felonies other than capital cases, on information filed by leave of a court of record granted after a preliminary hearing showing probable cause for prosecution; except in cases in which the punishment is by fine, or imprisonment otherwise than in the penitentiary; in cases of impeachment; and in cases arising in the army and navy, or in the militia when in actual service in time of war or public danger. A full panel of the grand jury shall consist of fifteen persons, and in finding a bill of indictment at least eleven of the grand jury shall be present and agree to the finding.

Section 8. No person shall be held to answer for a felony except on indictment by a grand jury, or (save in capital cases) on information filed by the Attorney General or the State's Attorney by leave of a court of record of competent jurisdiction, after a hearing in such court showing probable cause. A grand jury shall consist of fifteen persons, eleven of whom shall be present and agree to every indictment.

Section 9. In all criminal prosecutions, the accused shall have the right to appear and defend in person and by counsel; to demand the nature and cause of the accusation, and to have a copy thereof; to meet the witnesses face to face, and to have process to compel the attendance of witnesses in his behalf, and a speedy public trial by an impartial jury of the county or district in which the offense is alleged to have been committed.

Section 9. (No change suggested.)

Section 10. No person shall be compelled in any criminal case to give evidence against himself, or be twice put in jeopardy for the same offense.

Section 10. (No change suggested.)

Section 11. All penalties shall be proportioned to the nature of the offense; and no conviction shall work corruption of blood or forfeiture of estate; nor shall any person be transported out of the State for any offense committed within the same.

Section 11. Penalties shall be proportioned to offenses. No conviction shall work corruption of blood or forfeiture of estate, or transportation from the State.

Section 12. No person shall be imprisoned for debt, unless upon refusal to deliver up his estate for the benefit of his creditors, in such manner as shall be prescribed by law; or in cases where there is strong presumption of fraud.

Section 12. No person may be imprisoned for debt except upon refusal to deliver up his estate for his creditors as prescribed by law, or in case of strong presumption of fraud.

Section 13. Private property, which shall include the property of incorporated companies as well as of individuals, shall not be taken or damaged for public use without just compensation. Such compensation, when not made by the State, shall be ascertained by a jury, as shall be prescribed by law. The fee of land taken for railroad tracks, without the consent of the owners thereof, shall remain in such owners, subject to the use for which it is taken. The General Assembly may authorize the State or any county, city, village or incorporated town, to take, in furtherance of any public improvement, by and with the approval of the court as to the necessity for such taking and the quantity to be taken, a reasonable quantity of land in excess of that which is actually to be occupied by the improvement, such excess taking to be in fee simple, and to hold, sell or lease such excess or any part thereof.

Section 13. Private property shall not be taken or damaged for public use without just compensation, to be ascertained (except when paid by the State) by a jury. The fee of land taken for railroad tracks without the consent of the owner shall remain in him.

The General Assembly may authorice the State or any subdivision thereof or any municipal corporation, to take and to hold, lease or sell, more land than is needed for a public improvement, whenever the court finds the excess is required to protect, preserve or aid the improvement and is reasonable in quantity therefor.

Section 14. No *ex post facto* law, or law impairing the obligation of contracts, or making any irrevocable grant of special privileges or immunities, shall be passed.	Section 14. (No change suggested.)
Section 15. The military shall be in strict subordination to the civil power. No soldier shall, in time of peace, be quartered in any house without the consent of the owner; or in time of war except in the manner prescribed by law.	Section 15. The military shall be in strict subordination to the civil power. Neither in time of war, except as prescribed by law, nor in time of peace, shall a soldier be quartered on a householder without his consent.
Section 16. The people have the right to assemble in a peaceable manner to consult for the common good, to make known their opinions to their representatives, and to apply for redress of grievances.	Section 16. (No change suggested.)
Section 17. All elections shall be free and equal.	Section 17. (No change suggested.)
Section 18. Every person ought to find a certain remedy in the laws for all injuries and wrongs which he may receive in his person, property or reputation; he ought to obtain, by law, right and justice freely and without being obliged to purchase it, completely and without denial, promptly and without delay.	Section 18. (No change suggested.)
Section 19. A frequent recurrence to the fundamental principles of civil government is absolutely necessary to preserve the blessings of liberty. The republican form of government shall never be abandoned, modified or impaired within this State.	Section 20. The republican form of government shall never be abandoned, modified or impaired within this State.
Section 20. The laws of this State shall be applicable alike to all citizens without regard to race or color, and no citizen shall be prohibited from doing anything that any other citizen may do, because or by reason of the race or color of such citizen.	Section 19. Laws shall be applicable alike to all citizens without regard to race or color, and no citizen, by reason of his race or color shall be prohibited from doing anything that any other citizen may do.

Respectfully submitted,

ELAM L. CLARKE, *Chairman.*
THOS. RINAKER.
CHARLES B. T. MOORE.
E. H. DUPEE.
H. E. TORRANCE.
GEORGE A. BARR.
EDWARD H. BREWSTER.
Committee on Phraseology and Style.

IN RE PROPOSAL NO. 376.

Memorandum from Committee on Phraseology and Style, Accompanying Report on Proposal No. 376, being a Proposal entitled Bill of Rights.

The Bill of Rights has appeared in substantially the same form since its adoption in the Constitution of 1818, and its form has been changed only slightly in the reference draft. The history of the Bill of Rights goes back much further than 1818, since its substance may be traced to the Constitution of the United States adopted in 1787, to the Ordinance of the North West Territory of the same year and to the Declaration of Independence of 1776. Further back in English history the prototype of many of the provisions of the Bill of Rights, as we know it now, took shape in the Bill of Rights of 1688 and earlier still in the Petition of Rights in 1627. Still further back at the dawn of English political history, in 1215, the origin of many of these provisions may be found in Magna Charta.

Because of the history of the article and because of the great amount of construction which it has received from the Supreme Court of this State, your committee has made few changes and those only when strong reasons appeared.

SECTION 1. Your committee has not changed this section as it appears in the reference draft except in punctuation. The dash in line 2 has been changed to a semicolon for the reason that the section is so punctuated in the Declaration of Independence, the Constitution of 1818, and the rejected Constitution of 1862.

Your committee has added to this section a sentence which appears as Section 20 of this article in the present Constitution. Section 20 of this article in the Constitution of 1870 was made Section 19 of the reference draft and a further sentence was added. A short consideration of the two provisions as they appear in the Constitution of 1870 shows the similarity of their subject matter. Each is an abstract statement of political philosophy. Logic would seem to suggest that the two sections, as they appeared in 1870, be combined and accordingly your committee has made this consolidation.

SECTION 2. No change has been made in this section.

SECTION 3. No change has been made in this section.

SECTION 4. The reference draft is the same as Section 4 in the Constitution of 1870. It contains two elements which are not sufficiently related from the point of view of sentence unity. These two elements existed not only in separate sentences but in separate sections in the Constitution of 1818, the Constitution of 1848 and the rejected Constitution of 1862. The necessity for separate sentences is apparent when it is observed that the first clause of the reference draft deals with both slander and libel, while the second clause deals only with libel.

The Convention of 1870 also changed the phrase "any subject" as it had appeared in all the prior Constitutions to read "all subjects." Your Committee considers the original form preferable and has restored it. The adjective "this" seems preferable to "that" when used to modify

the word "liberty" since the liberty under consideration is immediate and not remote. The correlatives "both * * * and" mean the same as "or" and your committee has used the latter word.

SECTION 5. This section has been rephrased in Committee of the Whole and only a fraction of the section as it appeared in the Constitution of 1870 has been retained.

The phrase "as heretofore enjoyed" first appeared in 1870. The Supreme Court of this State has at times construed this phrase as preserving the right of trial by jury as it existed at the time of adoption of the Constitution. (*Ross* v. *Irving,* 14 Ill. 171, 1852, decided under the Constitution of 1848; *Commercial Insurance Company* v. *Scammon,* 123 Ill. 601, 1888; *City of Spring Valley* v. *Spring Valley Coal Company,* 173 Ill. 497, 1898). On other occasions these words have been construed to guarantee the right of trial by jury as it existed at common law. (*George* v. *People,* 167 Ill. 447, 1897; *Paulsen* v. *People,* 195 Ill. 507, 1902).

It is apparent that this phrase in 1920 does not mean the same thing that it meant in 1870 for the simple reason that half a century has passed in the interval. Moreover, it is apparent from the changes made in Committee of the Whole that the "right of trial by jury" cannot be the same "right" as that heretofore enjoyed. In view of these facts your committee has thought it unwise to repeat this phrase in the Constitution of 1920.

The phrase "in all but capital cases" seems to your committee not so good an expression as "except in capital cases."

The second sentence in the reference draft is new and seems to your committee to be expressed better in the form given in your committee's draft.

The third sentence of the reference draft is likewise new and has been simplified by your committee with no intention to change its meaning. Its place in the section has been changed to conform to rules of logic and paragraph unity.

SECTION 6. No change has been made in this section.

SECTION 7. The principal change made by your committee in this section is to divide it into two sentences. It is obvious that the right of a person to secure bail has no essential connection with the privilege of the writ of habeas corpus. To combine these elements into one sentence violates the principle of sentence unity.

The word "when" after the word "unless" has been dropped. The words "unless when" originated in the Federal Constitution. At that time the word "unless" was in good usage as a preposition. It was used as a synonym for the preposition "except," and it is used in that sense here. But in the past century good usage has changed, and the word "unless" is now used exclusively as a conjunction. (Century Dictionary). The word "when" is therefore unnecessary.

SECTION 8. This section is similar to the fifth amendment of the Federal Constitution. It has appeared in a slightly different form in each of the three Constitutions of this State.

As it appears in the Constitution of 1870, this section has given some difficulty in construction. The Supreme Court at one time referred to it as requiring felonies to be prosecuted by indictment and permitting misdemeanors to be prosecuted by information. (*Brewster* v. *People,* 183 Ill. 143, 1899). However, the court later held that this rule was not, for all purposes, correct. For example, larceny (including petty larceny) prior to 1911 was named by statute as an infamous crime and accordingly was punishable by loss of civil rights. Thus petty larceny, although it was only a misdemeanor, was punishable "otherwise than in the penitentiary" and could not be prosecuted by information under this section. (*People* v. *Russel,* 245 Ill. 268, 1910). However, the General Assembly in 1911 remedied this situation by amending the statute describing infamous crimes to exclude petty larceny. (Act of May 29, 1911).

The provision in the Constitution of 1870 that the grand jury may be abolished by law "in all cases" was inserted to permit the General Assembly to abolish the grand jury *in any or all cases* as that body might see fit. (Debates 1870, p. 1442). However, in 1907, the Attorney General held that under this provision the grand jury could not be abolished in any case unless it was abolished in all cases. (Reports, Attorney General, 1908, p. 52). This construction thwarts the clear intention of the Convention of 1870.

The Convention has adopted the section as it stands in the Constitution of 1870 with but two changes:

First—the words "Provided, that the grand jury may be abolished by law in all cases" have been eliminated and a provision has been substituted permitting the prosecution of felonies "other than capital cases, on information filed by leave of a court of record granted after a preliminary hearing showing probable cause for prosecution."

Second—the last sentence of the reference draft, relative to the composition of the grand jury, has been added.

An analysis of the reference draft shows that five types of prosecution for "criminal offenses" are contemplated:

1. By indictment in capital cases.
2. By indictment or on information filed by leave of a court of record after a hearing showing probable cause in felonies other than capital cases.
3. By any manner which the General Assembly may direct in "cases in which the punishment is by fine or imprisonment otherwise than in the penitentiary."
4. By impeachment.
5. By courts martial.

Between number 2 and number 3 there is a further class of cases which (evidently by oversight) are not covered by the reference draft; that is, cases in which the punishment may be *either* imprisonment in the penitentiary *or* otherwise. Such cases under the decisions are not felonies nor are they cases in which the punishment is by "fine or imprisonment otherwise than in the penitentiary." A felony is defined by the criminal code as "an offense punishable with death or by imprisonment in the penitentiary." (Jones & Addington Annotated

Statutes, Sec. 3970). It is well settled under this definition that if an offense is punishable by a penitentiary sentence and *may* also be punishable otherwise than by imprisonment in the penitentiary, (for example, by fine or imprisonment in the county jail), such an offense is a misdemeanor and not a felony. (*Lamkin* v. *People,* 94 Ill. 501, 1880; *Baits* v. *People,* 123 Ill. 428, 1888; *Herman* v. *People,* 131 Ill. 594, 1889: *People* v. *Paisley,* 288 Ill. 310, 1919). Similarly the Supreme Court has construed the provision permitting prosecution by information "in cases in which the punishment is by fine, or imprisonment otherwise than in the penitentiary," to include only cases where no penitentiary sentence can be given. (*People* v. *Glowacki,* 236 Ill. 612, 1908; *People* v. *Russell,* 245 Ill. 268, 1910). It thus appears that, since the reference draft makes no special provision for the prosecution of cases where the punishment may be either imprisonment in the penitentiary or otherwise, such cases can be prosecuted only by indictment. This clearly was not the intention of the Committee of the Whole.

Your committee has therefore changed the wording of the section to make it apply to "felonies" instead of to "criminal offenses." This change has been made for three reasons:

1. It remedies the inadvertent omission of the class of cases described in the preceding paragraph.

2. It eliminates the difficulty involved in the construction of the clause "by imprisonment otherwise than in the penitentiary," as considered above.

3. It permits the omission of trials for misdemeanors upon impeachments and by courts martial from the entire scope of the section. These three classes of trials are really not intended to be covered by the section, since they are specifically excepted from its application. By omitting from the section any reference to them the same result is accomplished as was intended by the reference draft; and the result is secured by a much simpler wording.

Your committee has made the following minor changes in the section: (a) The word "except" has been substituted for the word "unless" in the reference draft for the reasons given in the discussion of Section 7 of this memorandum. (b) The verb "granted" is omitted as unnecessary, since the adverbial clause "after a preliminary hearing" modifies the verb "filed" if "granted" is omitted. (c) The words "probable cause for prosecution" have been shortened to the equivalent term "probable cause." (d) The last sentence of the reference draft has been shortened by omitting superfluous words.

After considerable study your committee has concluded that the provision of this section permitting prosecution by information (as worded in the reference draft) is not self executing, as it was intended to be. This will be obvious when it is observed that: (a) The provision does not specify whether the information is to be filed by (1) the State's attorney, (2) the Attorney General, or (3) by any citizen, or (4) by any one of these. (b) The section does not indicate whether one court may grant leave to file an information in another court; or whether the hearing may not be heard in the court which grants the leave. (c) It is not clear whether the leave to file the information may

be asked of a court having no criminal jurisdiction; and if it may be asked for in such court, it does not appear where the trial should take place.

In order to remove the doubt raised by (a) above, your committee has provided that the information may be filed by the Attorney General or by the State's attorney. Your committee is satisfied that the Convention did not intend to enlarge the section so as to permit any individual to file the information; on the other hand, the Convention intended only to give the existing officers charged with the duty of prosecuting criminals (the Attorney General and the State's attorney) an additional means of proceeding in the cases concerned. Accordingly the words "by the Attorney General or State's attorney" have been added.

In order to require that the same court which grants the leave to file the information shall also hold the hearing upon it, your committee has added the words "in such court." This avoids the difficulty in (b) above and requires the hearing to be held in the court which grants the leave. In order to secure the filing of the information in a court which may lawfully hear it, your committee has inserted the words "of competent jurisdiction" after the words "court of record." The difficulty in (c) above is thereby avoided.

SECTION 9. No change has been made in this section.

SECTION 10. No change has been made in this section.

SECTION 11. The word "all" is omitted as unnecessary.

Since the word "penalties" is used in the plural, the plural form "offenses" should also be used.

Your committee has condensed the phrase "proportioned to the nature of the offense" to "proportioned to offenses." The words omitted by your committee seem unnecessary.

Your committee has also condensed the phrase "* * * shall any person be transported out of the State for any offenses committed within the same," to read "work * * * transportation from the State." The clause has thereby been shortened and your committee believes that its meaning has not been changed.

There seems no necessity for the phrase "any offense committed within the same" since your committee assumes the section is not intended to be applicable to offenses committed outside the State. The adjective "same" is here again used as a pronoun. Your committee has already called attention to the impropriety of such usage.

SECTION 12. Your committee has made but slight changes in this section.

The verb "shall" has been changed to "may" since it is clear that the imperative is not intended. As already stated, your committee has consistently used the word "shall" to express the imperative.

The word "unless" has been changed to "except" for the reasons set out in the discussion of Section 7 of this memorandum.

The phrase "for the benefit of his creditors" has been shortened by your committee to the equivalent phrase "for his creditors."

The words "in such manner as may be prescribed by law" mean no more than "as prescribed by law," and your committee has used the shorter phrase.

The last clause of the section is correlative and not coordinate. Accordingly your committee has substituted a comma for a semicolon to show the true relation of this clause to the sentence.

There seems no justification for the use of the plural "cases" since the singular form "case" necessarily applies to every situation which may arise.

The phrase "where there is strong presumption of fraud" has been condensed by your committee to "of strong presumption of fraud."

Here again your committee, in revising the section, has been careful not to change its meaning.

SECTION 13. The first part of this section is the same as Section 13 of Article II of the present Constitution, except that after the word "property" the words "which shall include the property of incorporated companies as well as of individuals" have been added by the Committee of the Whole. This language is intended to cover the same ground as that covered by Section 14 of Article XI of the present Constitution. But the words "private property" have been held to include corporate property and franchises, and the Supreme Court has several times stated that Section 14 of Article XI is unnecessary. (*Mitchell* v. *I. & St. L. Ry. Co.,* 68 Ill. 286, 1873; *L. S. & M. S. Ry. Co.* v. *C. & W. I. Ry. Co.,* 97 Ill. 506, 1881; *A. & S. Ry. Co.* v. *Vandalia Ry. Co.,* 268 Ill. 68, 1915). For these reasons your committee has omitted these words from its redraft.

The phrase "as shall be prescribed by law" has been omitted. It is difficult to tell whether this clause modifies the verb "ascertained" or the noun "jury," but in either case it is unnecessary. If the clause modifies the word "ascertained" it adds nothing to the meaning of the sentence, because "compensation" cannot be ascertained until a statute has prescribed the proceedings. In the case of *People* v. *McRoberts.* 62 Ill. 38, 1871, the Supreme Court, in construing this section, said:

> "Suppose that the words, 'as shall be prescribed by law,' had been omitted in the section, no one would doubt for a moment that the section went into effect *in presenti;* and that, until an enactment of a proper law, if there was none, the right of eminent domain could not be exercised."

On the other hand, if this clause modifies the word "jury" it has been disregarded by the Supreme Court. That court has held that the "jury" required by this section is the same kind of a "jury" required by Section 5 of Article II of the Constitution. (*McManus* v. *McDonough,* 107 Ill. 95, 1883). Since the clause "as shall be prescribed by law" has no effect, it has been omitted.

In the interest of brevity the first two sentences of the reference draft have been consolidated.

The words "when not made by the State" have been rephrased to read, "except when paid by the State" to make more clear the fact that these words constitute an exception to the rule of the sentence.

The next sentence of the reference draft reads "the fee of land taken for railroad tracks without the consent of the owner thereof shall remain in such owner subject to the use for which it is taken." Your committee has shortened this sentence to read "The fee of land taken for railroad tracks without the consent of the owner shall remain in him." The words "subject to the use for which it is taken" are unnecessary because if land is taken for railroad tracks and the fee remains in the owner, it is obvious that the land is subject to the use in question.

The last sentence of Section 13 is new with this Convention. It was inserted to give what is known as the right of "Excess Condemnation." In reality it is a construction-sentence for the first portion of the section, since its purpose is to enlarge the narrow construction given by the courts to the term "public use." These words have heretofore been construed to permit the condemnation of only such property as is actually occupied by a public improvement.

In general there are three theories of "Excess Condemnation."

The first theory is that the condemning authority should be entitled to take remnants of lots which are too small for suitable independent use. This theory is known as the "remnant theory" and is supported by the following arguments:

(a) The remnants are unsightly and often remain so for long periods of time.

(b) The condemning authority is compelled to reimburse the owner of the remnant often to the extent of its full value for the damage done to the remnant.

(c) The condemning authority, when the improvement is paid for by special assessment, is prevented from assessing the property beyond the remnant as property abutting upon the improvement.

The second theory of "Excess Condemnation" would permit the condemning authority to take land on all sides of the improvement and to resubdivide and rearrange the frontage abutting upon the improvement. This theory would permit the full benefits of the improvement to be realized. The language usually adopted to secure this result is that additional land may be taken sufficient "to protect" or "to preserve" the improvement, although sometimes both these words or similar words are used. (See Wisconsin Amendment of 1912, Constitution of Wisconsin, Article II, Section 3A; Acts of Virginia 1906, Chapter 194, Section 1; Laws of Oregon 1913, Chapter 269, Section 1. See also New York Amendment of 1913, New York Constitution, Article I, Section 7, and Rhode Island Amendment of 1916, Constitution of Rhode Island, Article 17, Section 1.) In Ohio, by the Amendment of 1912 (Constitution of Ohio, Article 18, Section 10), a somewhat more comprehensive grant is given, the only limitation being that the additional land shall be "in furtherance of such public use." It seems entirely fair to say that the provisions adopted by the states which have permitted such excess in the taking of land (either by constitutional amendment or by general laws under existing Constitutions) are mostly drafted upon the basis of this theory.

3. The third theory would allow the condemnation and reselling of any land benefited by the improvement, even though such land

might be at a considerable distance from the improvement itself. The purpose of this theory is to permit the municipality to reimburse itself for the expense of constructing the improvement by taking any or all of the land so benefited. This is known as the "recoupment theory."

Your committee feels certain that the Convention did not intend to adopt this last theory. It seems clear also that the Convention did not intend to limit the additional land taken to that allowed by the first theory; since the amount of additional land taken and the circumstances under which it is to be taken are left to the judgment of a court and are not specially limited to "remnants." In view of these considerations your committee has redrafted the provision to conform to the second theory and at the same time to comply with the restrictions imposed by the reference draft.

SECTION 14. No change has been made in this section.

SECTION 15. This section combines without change Sections 15 and 16 of Article II of the Constitution of 1870. Your committee has not altered the form of the first sentence, but the second has been rephrased to express the idea more accurately. The reference draft required the consent of the owner of the house rather than the persons living in it. Literally construed, the reference draft would not permit the government to quarter soldiers in their own homes, if the soldiers did not own their homes, without the consent of the owner. Similarly soldiers might be quartered in the home of a renter without his consent if the owner of the house consented. This obviously was not the intention. Your committee has therefore rewritten the section to require the consent of the householder rather than the owner of the house. The term "householder" is well known to the law and is defined as "the person who holds or occupies a house as his own dwelling or that of his household." (Oxford Dictionary, Vol. 5, p. 422.) The idiom "to quarter soldiers on a householder" is also well known. (Oxford Dictionary, Vol. 8, p. 30.) The sentence has been otherwise revised to avoid splitting the main verb from its auxiliary.

SECTION 16. No change has been made in this section.

SECTION 17. No change has been made in this section.

SECTION 18. No change has been made in this section.

SECTION 19. This section is new with this Convention.

The words "of this State" have been omitted as unnecessary. The antecedent of the words "such citizens" in the last line of the section is not clear. The grammatical antecedent is, of course, the next preceding appropriate substantive, which is "any other citizen," but this construction apparently does not effect the purpose intended. Your committee has therefore rearranged the phrase to make it clear that "no citizen" is the proper antecedent of "such citizen."

SECTION 20. The first sentence of this section has been combined, without change, with Section 1 of this Article.

The second sentence is not changed. The sentence is new with this Convention. Your committee calls attention to the fact that there is no similar provision in any other State Constitution. The Federal Constitution provides in Section 4, Article IV, "The United States shall guarantee to every state in this Union a Republican form of govern-

ment." This section of the Federal Constitution has been little construed. President Taft vetoed an act admitting Arizona to the Union because the proposed Constitution of that State contained a provision for the initiative and referendum. The President held that this provision in the Arizona Constitution violated the principles of a Republican form of government. The state was afterwards admitted to the Union without this provision in its Constitution, and after admission amended its Constitution to adopt the initiative and referendum. The phrase "Republican form of government" is an extremely vague one. The presence of this provision in the Constitution will subject every law altering in any degree the present form of government, to the caprice of a court, since the court may declare that the law disrupts the Republican form of government.

Report No. 10.

YOUR COMMITTEE ON PHRASEOLOGY AND STYLE, TO WHICH WAS REFERRED A PROPOSAL IN RELATION TO THE PREAMBLE OF THE CONSTITUTION OF ILLINOIS (INTRODUCTION NO. 375, REFERENCE NO. 14) AS AMENDED IN COMMITTEE OF THE WHOLE, RESPECTFULLY REPORTS THAT IT HAS CONSIDERED SUCH PROPOSAL AND HEREWITH SETS FORTH IN PARALLEL COLUMNS SAID PROPOSAL AS ADOPTED IN COMMITTEE OF THE WHOLE ON THE LEFT, AND A SUBSTITUTE THEREFOR AS RECOMMENDED BY THIS COMMITTEE ON THE RIGHT.

RESOLVED, *That the following shall become a part of the Constitution of Illinois:*

We, the people of the State of Illinois—grateful to Almighty God for the civil, political and religious liberty which He hath so long permitted us to enjoy, and looking to Him for a blessing upon our endeavors to secure and transmit the same unimpaired to succeeding generations—in order to form a more perfect government, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity; do ordain and establish this Constitution of the State of Illinois.	We, the people of the State of Illinois, grateful to Almighty God for the civil, political and religious liberties which He hath so long permitted us to enjoy, and looking to Him for a blessing upon our endeavors to secure and transmit them unimpaired to succeeding generations, in order to form a more perfect government, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare, and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution of the State of Illinois.

Respectfully submitted,

ELAM L. CLARKE, *Chairman.*
THOS. RINAKER.
CHARLES B. T. MOORE.
E. H. DUPEE.
H. E. TORRANCE.
GEORGE A. BARR.
EDWARD H. BREWSTER.
Committee on Phraseology and Style.

IN RE PROPOSAL NO. 375.

Memorandum from Committee on Phraseology and Style, Accompanying Report on Proposal No. 375, being a Proposal in relation to the PREAMBLE of the Constitution of Illinois.

This proposal as revised is in the same form as the reference draft except for three grammatical changes.

The use of the dash in the reference draft to set off the clause beginning "grateful to Almighty God", etc., cannot be justified under proper rules of punctuation. (Hill, "Foundations of Rhetoric", p. 347.) The comma has therefore been substituted for the dash.

The Preamble is made up of a single sentence which has for its main clause the words "We, the people of the State of Illinois * * * do ordain and establish this Constitution of the State of Illinois". In the reference draft the sentence has its subject separated from its verb by a semicolon. This error has been corrected in the proposal as revised.

The reference draft contains the words "the same" used as a pronoun. Attention has been called in previous reports of this Committee to this prevalent but objectionable usage. The pronoun "them" has been substituted for the words "the same", and the word "liberty" has been changed to the plural "liberties", to make the grammatical construction correct.

Report No. 11.

YOUR COMMITTEE ON PHRASEOLOGY AND STYLE, TO WHICH WAS REFERRED A PROPOSAL ENTITLED REVENUE, (INTRODUCTION NO. 378, REFERENCE NO. 19) AS AMENDED IN COMMITTEE OF THE WHOLE, RESPECTFULLY REPORTS THAT IT HAS CONSIDERED SUCH PROPOSAL AND HEREWITH SETS FORTH IN PARALLEL COLUMNS SAID PROPOSAL AS ADOPTED IN COMMITTEE OF THE WHOLE ON THE LEFT, AND A SUBSTITUTE THEREFOR AS RECOMMENDED BY THIS COMMITTEE ON THE RIGHT.

RESOLVED, *That the following shall become a part of the Constitution of Illinois:*

Section 1. The power of taxation shall never be surrendered, suspended, or contracted away. All taxes shall be levied and collected under general law and for public purposes only. The General Assembly shall provide for the levy of taxes upon property by valuation so that every person and corporation shall pay a tax in proportion to the value of his or her or its property, such value to be ascertained by some person or persons to be elected or appointed in	Section 1. The power of taxation shall never be surrendered or suspended. Taxes shall be levied and collected only under general laws and for public purposes. Section 3. (Part of Reference Section 1.) Taxes on property by valuation shall be in proportion to its value. Taxes on incomes may be progressive but the highest rate shall not exceed four times the lowest rate; exemptions may be provided not to

such manner as the General Assembly shall direct and not otherwise.

Taxes may be levied also on incomes; if the income tax be graduated and progressive the highest rate shall not exceed four times the lowest rate; and not exceeding $500 to a person not the head of a family whose total net income is less than $1,000 and not exceeding $1,000 to the head of a family whose total net income is less than $2,000 may be exempted from income tax. Taxes levied by valuation upon property in this State and paid shall be deducted from the tax on income derived therefrom by the person or corporation paying such property tax.

In lieu of any property tax thereon, the General Assembly may provide a uniform tax on all income derived from intangible property, in which case the rate of such income tax shall be a uniform, real and substantial tax, and there shall be no exemptions therefrom, except as provided in Section 3 of this Article.

Taxes may also be levied on privileges, franchises and occupations uniform as to class.

The above specifications of the objects and subjects of taxation shall not deprive the General Assembly of the power to require other objects or subjects to be taxed in such manner as may be consistent with the principles of taxation fixed in this Constitution.

Section 2. The income tax herein authorized shall be levied and collected by some State authority; all income taxes collected from within each county shall be apportioned and divided between the State and the county in the same proportion as the real estate taxes extended within the county for the same year are divided between the State and the county, and the income tax so apportioned to any county shall be apportioned and divided between the county and all the taxing authorities within the county, in the same proportion as all the real estate taxes extended within the county for the same year are apportioned and divided between the county and all the taxing authorities within the county for the same year.

exceed, (a) $500 to a person not the head of a family whose total net income is less than $1,000, and (b) $1,000 to a person the head of a family whose total net income is less than $2,000; and taxes by valuation paid on property in this State shall be deducted from any tax on the income derived from such property.

Taxes on privileges, franchises and occupations shall be uniform as to classes.

Taxes on the income derived from intangible property may be levied in lieu of any tax on such property by valuation; but such taxes on income shall be uniform and substantial and there shall be no exemptions, therefrom.

Section 4. Taxes on income shall be levied and collected only by the State; and the proceeds thereof in each county shall be apportioned between the State, the county and all taxing authorities within the county in the same ratio as the proceeds of taxes on real estate in such county are apportioned.

Section 3. The property of the State, counties and other municipal corporations, both real and personal, household furniture actually in use as such to the extent of five hundred dollars in value, and such other property as may be used exclusively for agricultural and horticultural societies, for incorporated societies of war veterans, for school, religious, cemetery and charitable purposes, including parsonages owned and occupied as such by religious organizations entitled to exemptions under this section, may be exempted from taxation, but such exemptions shall be only by general law. In the assessment of real estate incumbered by public easement any depreciation occasioned by such easement may be deducted in the valuation of such property.

Section 2. The following classes of property may be relieved from taxation by general law: (1) Public property; (2) household furniture used as such up to $500 in value; and (3) property used exclusively for, (a) agricultural or horticultural societies, (b) incorporated societies of war veterans, (c) schools, (d) cemeteries, and (e) charitable or religious purposes, including parsonages owned and occupied as such.

Section 4. No sale of real estate for delinquent taxes and special assessments shall be made except upon a judgment of a court of record after notice to the owner and not less than two years shall be allowed the owner and parties interested, to redeem from the sale and there shall be no such sale except on application of and conducted by the county treasurer. But the Legislature may provide for enforcing the lien of such taxes or assessments by a proceeding in the nature of a foreclosure in equity after the period of redemption has expired.

Section 5. No sale of real estate for delinquent taxes or special assessments shall be made except upon a judgment of a court of record after notice to the owner. The County Treasurer only shall apply for such judgments and conduct such sales. Not less than two years shall be allowed the owner and other parties interested to redeem from such sale; but after such period of redemption has expired the lien of the judgment may be enforced by a proceeding in the nature of a foreclosure in equity.

Section 5. The General Assembly shall have no power to release or discharge any county, city, township, town or district whatever, or the inhabitants thereof, or the property therein, from their or its proportionate share of taxes to be levied for State purposes, nor shall commutation for such taxes be authorized in any form whatsoever.

Section 6. Taxes levied for State purposes shall never be released, discharged or commuted.

Section 6. The General Assembly may vest the corporate authorities of cities, towns and villages and park districts with power to make local improvements by special assessment, or by special taxation of contiguous property, or otherwise.

Section 7. The General Assembly may vest cities, towns, villages and park districts with power to make local improvements by special assessment or special taxation of contiguous property or otherwise.

Section 7. The General Assembly shall not impose taxes by valuation upon municipal corporations or the inhabitants thereof or the property therein for corporate purposes, but

Section 8. The General Assembly shall not impose taxes by valuation in municipal corporations for corporate purposes, but such taxes shall be imposed only by the municipal

all municipal corporations shall be required to levy and collect taxes (but not taxes upon income) for the payment of debts contracted under authority of law, and shall be vested with authority to levy and collect taxes (but not taxes upon income) for corporate purposes, within the limits to be prescribed by law, consistent with the principles of taxation fixed in this Constitution. Private property shall not be liable to be taken or sold for the payment of the corporate debts of a municipal corporation.

Section 8. Except as otherwise provided in this Constitution, no county, township, school district, or other municipal corporation shall become indebted to an amount including existing indebtedness in the aggregate exceeding five (5) per cent of the value of the taxable property within its limits as ascertained by the last assessment for State and county taxes, previous to the incurring of such indebtedness. Any county, township, school district, or municipal corporation incurring indebtedness shall before or at the time of doing so, provide for the collection of a direct annual tax, sufficient to pay the interest on such debt as it falls due and also to pay and discharge the principal thereof in equal annual installments within twenty (20) years from the date of contracting the same.

Section 9. For the purposes (or any one or more of them) of acquiring, constructing, owning, leasing, maintaining and operating such income-producing properties as it is by law authorized to own or operate (or to own and operate) for the supply of transportation, communication, light, heat, power, water (or any of them), the General Assembly may by general law authorize any city to issue interest-bearing bonds, in excess of any limitation of indebtedness otherwise prescribed in this Constitution, to an amount not at any time exceeding in the aggregate fifteen per centum on the full value of the taxable real property therein, to be ascertained by the last assessment for State and county purposes previous to the issuance of such bonds. Any city issuing such bonds shall, before or at the time

corporation. The General Assembly however, shall require every municipal corporation to impose taxes by valuation for the payment of its debts; and private property shall not be liable therefor.

Section 9. Any county, township, school district or other municipal corporation may become indebted in the aggregate, including its existing debt, up to five per cent of the value of the taxable property therein as ascertained by the last assessment for State and county taxes previous to incurring the debt. At the time of assuming any such debt the corporate body incurring it shall provide a direct annual tax sufficient to pay the interest on the debt and to pay the principal thereof in equal annual installments within twenty years.

Section 10. Cities may be authorized by general law to become indebted (in addition to any debt permitted by the previous section) up to fifteen per cent of the full value of the taxable real property therein as ascertained by the last assessment for State and county taxes previous to incurring the debt; but any such debt may be incurred only for acquiring, leasing, constructing or operating income producing property for supplying transportation, communication, light, heat power, or water.

No such debt shall be incurred unless the proposition therefor is approved at an election in the city by three-fifths of those voting on the question.

At the time of incurring any such debt the city shall provide a direct annual tax sufficient to pay the in-

of doing so, provide for the collection of a direct annual tax sufficient to pay the interest thereon as it falls due and also to pay and discharge the principal thereof within thirty years from the date thereof.

terest thereon and to pay the principal thereof in equal annual installments beginning not more than five years and ending not more than thirty years after the debt is incurred.

The city shall establish and maintain such rates or charges for the service supplied by the property for which the debt is incurred, as may be necessary to provide at least sufficient revenue to pay (a) the principal and interest of the debt as they accrue and (b) the cost of operation and maintenance of the property, including reserves, repairs and renewals necessary to keep it in first class condition. Any tax payer of the city shall have the right (which shall not be exclusive in him) to enforce the provisions of this paragraph by appropriate proceedings in the Circuit Court of the county.

At least four months before any tax becomes collectible for paying the principal or interest of any such debt, the city shall deposit with its treasurer out of the gross earnings of the property for which the debt was incurred, a sum equal (so far as such earnings will go) to the amount required to be raised by such tax. The amount to be collected by such tax at that time shall thereupon be reduced by the amount of the sum so deposited. Money so deposited shall be used only to pay such principal or interest.

Any city incurring a debt under this section shall, in regard to the property for which the debt was incurred, conform to the requirements for keeping accounts and for the audit thereof and for making reports that may be prescribed by law for other persons or corporations owning or operating like property.

The Circuit Court of the County shall have jurisdiction to regulate the service supplied by any such income producing property.

Section 10. Unless otherwise provided in the Act of any city, authorizing the issuance of any bonds for the purpose of financing any income-producing public utility, such bonds shall be held to be issued in excess of the limitation prescribed by Section 8 of this Article. Each issue of bonds, or of other securities, by any city, for the aforesaid purpose, shall be payable in substantially

(Combined with Section 10.)

equal annual installments of principal and interest combined, beginning not more than five years from the date thereof. No such bonds or other securities shall be issued until the proposition therefor shall have been consented to by a vote of three-fifths of the legal voters of such city voting upon the question.

Section 11. Any city issuing bonds in excess of the limitation of indebtedness prescribed by Section 8 of this Article, for the purpose of financing any income-producing public utility, shall, not less than four months prior to the time when any tax for the payment and discharge of the principal of and interest on such bonds, or of the principal of and interest on any other indebtedness incurred for the purpose of financing the same utility, shall by law become collectible, deposit, or cause to be deposited, with the treasurer thereof, out of the gross earnings of the utility for the financing of which indebtedness to be discharged by such tax was incurred, a sum equivalent in amount to such tax, the funds so deposited to be used solely for the purpose of paying and discharging such indebtedness, both as to principal and interest, as the same falls due. To the extent that funds to be used for the payment of any such indebtedness, as to either principal or interest, shall be deposited with the treasurer of any such city prior to the collection of such tax, such tax shall not be collected, but no subsequent loss or misappropriation of the funds so deposited shall relieve such city of its liability to pay such indebtedness. Any city owning or operating any public utility shall conform to all requirements with respect to the keeping of accounts and the audit thereof and to the making of reports that shall be prescribed by law with respect to such matters for any other persons or corporations owning or operating a like utility. Any city issuing bonds in excess of the limitation of indebtedness prescribed by Section 8 of this Article, for the purpose of financing any income-producing public utility, shall thereafter (irrespective of the subsequent amortization of the debt evidenced by any bonds or other securities whatsoever, issued for the financing of

(Combined with Section 10.)

such utility) establish and maintain such rates or charges for the service supplied as are necessary to provide sufficient revenue (in addition to amounts required for the payment of the principal of and interest on all outstanding bonded or other indebtedness incurred for the financing of such utility) to pay and discharge at least all costs and expenses involved in or incidental to the ownership, operation, and maintenance of such utility, including expenditures and reserves for repairs and renewals necessary to maintain the properties in first class condition in every respect at all times.

The provisions of this section and of Sections 8, 9 and 10 of this Article, except as otherwise provided herein, shall be self executing, but laws not in conflict therewith may be passed to facilitate their operation. Any taxpayer of any city owning or operating any such utility shall have the right to enforce all provisions of said sections by appropriate proceedings in any court of competent jurisdiction, but the right of such taxpayer with respect to the enforcement thereof shall not be exclusive. It shall be the duty of courts of general jurisdiction to enforce all such provisions and for such purpose they shall have all necessary powers, including the power to control and regulate the service supplied by any such utility.

Section 12. No municipal corporation shall incur any debt for acquiring, constructing or operating any income-producing property for the supply of transportation, communication, light, heat, power, or water, unless such debt shall be authorized and provision for the payment thereof and interest thereon be made as in Sections 9, 10 and 11 of this article.

Section 11. The provisions of the previous section (except the provision authorizing an increased debt limit for cities) shall govern any municipal corporation which hereafter incurs a debt for financing any income producing property.

Respectfully submitted,

ELAM L. CLARKE, *Chairman.*
THOS. RINAKER.
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GEORGE A. BARR.
EDWARD H. BREWSTER.

Committee on Phraseology and Style.

IN RE PROPOSAL NO. 378.

Memorandum from Committee on Phraseology and Style, Accompanying Report on Proposal No. 378, being a Proposal Entitled Revenue.

The various sections of the reference draft, as revised, in most respects speak for themselves. There are, however, a few matters which should be called to the attention of the Convention in order that they may not be overlooked.

In Section 8 of the reference draft the phrase "including existing indebtedness" comes from Section 12, Article IX, of the present Constitution. Fifty years ago that phrase was sufficient to cover the meaning intended. Since that time, however, the practice of organizing municipal corporations, such as park districts, drainage districts, forest preserves, etc., within the area of existing counties, townships or cities, has grown up. The question therefore arises as to what debt limit is permitted in such cases. Does each debt-incurring body have a five per cent limit without regard to the debt of the county or city in which it is organized? Or does the section prevent "overlapping" of these debt incurring bodies? If the latter is the intention of the Convention, the clause above quoted should be amplified to meet the contingency here suggested. This may be done by putting the provision in some such form as:

"* * * including its existing debt and the existing debt of any area lying wholly or partly within it * * *".

Under the provisions of Section 8 of the reference draft, any debt which is incurred is required to be paid off "in equal annual installments within twenty years". The purpose of this provision is to require a systematic method for financing the debt. As the provision is worded, however, it might be construed to prevent payment of the debt in advance. Thus a city might incur a debt and provide for its payment in "equal annual installments" during fifteen years. At the end of ten years the city might desire to pay off the entire balance of the debt then due. In view of the words "equal annual installments" this might be difficult, because bond holders or other persons interested could probably insist on having their bonds run for the full period of the loan. Accordingly it is suggested that a provision be added to the section which would permit the city to anticipate payment of any loan. Such a provision might be worded as follows:

"But any part of such debt may be paid in advance."

In Section 9 of the reference draft the city is required to provide a direct annual tax sufficient to pay the debt "within thirty years from the date thereof". Here again the question just discussed becomes pertinent. The city should have the right to pay the debt in advance if it is to the interest of the city to do that. Accordingly a provision similar to the one just quoted should also be added to this section.

Sections 9, 10 and 11 of the reference draft are all concerned with a single subject-matter, namely, limitations on a city which proposes to finance income producing property for public utility purposes. The

three sections of the reference draft have accordingly been consolidated into a single section in the proposal as revised.

Finally attention should be called to the fact that these three sections of the reference draft provide a method by which a city may go into the business of owning or operating public utilities; but nowhere in the three sections is there any provision authorizing the city to go out of the business in the event it proves unprofitable. When bonds for such a purpose have been issued by any city, a contract exists between the bond holders and the city. The right of the city to withdraw from the business and turn it back to private management or ownership might be denied, unless some constitutional provision specifically appears authorizing the city to take such action. Accordingly it is suggested that some provision like the following be added to this proposal:

"Any such income producing property may be disposed of by the city as provided by law."

Report No. 12.

YOUR COMMITTEE ON PHRASEOLOGY AND STYLE, TO WHICH WAS REFERRED A PROPOSAL RELATIVE TO THE LEGISLATIVE DEPARTMENT (INTRODUCTION NO. 366, REFERENCE NO. 12) AS AMENDED IN COMMITTEE OF THE WHOLE, RESPECTFULLY REPORTS THAT IT HAS CONSIDERED SUCH PROPOSAL AND HEREWITH SETS FORTH IN PARALLEL COLUMNS SAID PROPOSAL AS ADOPTED IN COMMITTEE OF THE WHOLE ON THE LEFT, AND A SUBSTITUTE THEREFOR AS RECOMMENDED BY THIS COMMITTEE ON THE RIGHT.

RESOLVED, *That the following shall become a part of the Constitution of Illinois:*

Section 1. The legislative power shall be vested in a General Assembly, which shall consist of a Senate and House of Representatives, both to be elected by the people.	Section 1. The legislative power shall be vested in a General Assembly consisting of a Senate and a House of Representatives.
Section 2. Election. An election for members of the General Assembly shall be held on the Tuesday next after the first Monday in November, in the year of our Lord one thousand nine hundred and twenty-two, and every two years thereafter, in each county, at such places therein as may be provided by law. When vacancies occur in either House, the Governor, or person exercising the powers of the Governor, shall issue writs of election to fill such vacancies.	Section 2. Senators shall be elected for terms of four years and Representatives for terms of two years. Vacancies shall be filled by special elections called by the Governor.

Eligibility and Oath.

Section 3. No person shall be a Senator who shall not have attained the age of twenty-five years, or a Representative who shall not have attained the age of twenty-one years. No person shall be a Senator or Representative who shall not be a citizen of the United States, and who shall not have been for five years a resident of this State, and for two years next preceding his election a resident within the territory forming the district from which he is elected. No judge or clerk of any court, Secretary of State, Attorney General, State's attorney, recorder, sheriff, or collector of public revenue, member of either House of Congress, or person holding any lucrative office under the United States or this State, or any foreign government, shall have a seat in the General Assembly: Provided, that appointments in the militia, and the offices of notary public and justice of the peace, shall not be considered lucrative. Nor shall any person, holding any office of honor or profit, under any foreign government, or under the government of the United States (except postmasters whose annual compensation does not exceed the sum of $300), hold any office of honor or profit under the authority of this State.

Section 3. Senators shall be at least twenty-five and Representatives at least twenty-one years of age. No person shall be a member of the General Assembly who holds any other lucrative public office or employment (except as a militia officer, Justice of the Peace or Notary Public), or is not a citizen of the United States, or has not resided for five years in the State and for two years next before his election in his district.

(The last sentence of this Section has been transferred to the next Section.)

Section 4. No person who has been, or hereafter shall be, convicted of bribery, perjury, or other infamous crime, nor any person who has been or may be collector or holder of public moneys, who shall not have accounted for and paid over, according to law, all such moneys due from him, shall be eligible to the General Assembly, or to any office of profit or trust in this State.

Section 4. No office in this State, or in any subdivision thereof, or in any municipal corporation, shall be held by any person:

Who has been convicted of bribery, perjury or other infamous crime;

Who is in default as collector or holder of public money; or

Who holds an office under the United States government (except postmasters whose annual compensation does not exceed $300), or under a foreign government.

(NOTE: This section should be transferred to a general article on OFFICERS.)

Section 5. Members of the General Assembly, before they enter upon their official duties, shall take and subscribe the following oath or affirmation:

I do solemnly swear (or affirm) that I will support the Constitution of the United States, and the Con-

Section 5. Prior to entering upon their duties, Senators and Representatives, in their respective halls, shall take and subscribe the following oath before a Judge of the Supreme or the Circuit Court:

I do solemnly swear (or affirm) that I will support the Constitution

stitution of the State of Illinois, and will faithfully discharge the duties of Senator (or Representative) according to the best of my ability; and that I have not, knowingly or intentionally, paid or contributed anything, or made any promise, in the nature of a bribe, to directly or indirectly influence any vote at the election at which I was chosen to fill the said office, and have not accepted, nor will I accept or receive, directly or indirectly, any money or other valuable thing, from any corporation, company or person, for any vote or influence I may give or withhold on any bill, resolution or appropriation, or for any other official act.

This oath shall be administered by a judge of the Supreme or Circuit Court, in the hall of the House to which the member is elected, and the Secretary of State shall record and file the oath subscribed by each member. Any member who shall refuse to take the oath herein prescribed, shall forfeit his office, and every member who shall be convicted of having sworn falsely to or of violating his said oath, shall forfeit his office, and be disqualified thereafter from holding any office of profit or trust in this State.

of the United States and the Constitution of this State; that I will faithfully discharge the duties of Senator (or Representative) to the best of my ability; that I have not contributed or promised anything in the nature of a brieb for any vote at my election; and that I have not received and will not receive anything of value for my influence or vote or for any other official act.

The Secretary of State shall file the oaths as subscribed.

Section 6. The General Assembly shall apportion the State every twelve years, beginning with the year one thousand nine hundred and twenty-one, into fifty-seven Senatorial Districts, each of which shall elect one Senator whose term of office shall be four years, and the basis of senatorial apportionment shall be the number of electors who voted for Governor at the last regular election at which a Governor was elected previous to the apportionment.

The territory now constituting the County of Cook shall be divided by the General Assembly into nineteen Senatorial Districts, and the number of such electors in that territory shall be divided by the number nineteen and the quotient shall be the ratio of representation in the Senate for that territory.

The territory now constituting the remainder of the State shall be divided by the General Assembly into thirty-eight Senatorial Districts,

(No change suggested at this time.)

and the number of such electors in that territory shall be divided by the number thirty-eight and the quotient shall be the ratio of representation in the Senate for that territory.

When a county contains two or more ratios of its territory it shall be divided by the General Assembly into as many Senatorial Districts as it has such ratios. Districts in counties so divided shall be bounded by precinct or ward lines; all other Senatorial Districts shall be bounded by county lines.

All Senatorial Districts shall be formed of compact and contiguous territory, and the districts in each territory shall contain as nearly as practicable an equal number of such electors, but in no case less than four-fifths of the ratio for that territory.

Senators shall be so elected that the term of those now in office shall not be disturbed. They shall be divided into two classes so that one-half as nearly as practicable shall be chosen biennally.

Section 7. The General Assembly shall apportion the State every twelve years, beginning with the year one thousand nine hundred and twenty-one, into one hundred and fifty-three representative districts, each of which shall elect one Representative whose term of office shall be two years, and the basis of representative apportionment shall be the number of electors who voted for Governor at the last regular election at which a Governor was elected, previous to the apportionment.

(No change suggested at this time.)

Representative districts shall be formed of contiguous and compact territory, bounded by county lines, or, in the case of counties entitled to more than one Representative, by precinct or ward lines, and shall contain as nearly as practicable an equal number of electors; but no district shall contain less than four-fifths of the representative ratio.

Counties containing not less than the ratio and four-fifths may be divided into separate districts and shall be entitled to two Representatives, and to one additional Representative for each number of electors, equal to the ratio contained by

such counties in excess of twice the number of said ratio.

The territory of any county as continued at the time of the adoption of this Constitution shall never be entitled to more than seventy-six Representatives.

Section 8. In case the General Assembly fail to make an apportionment, at its first session following the time fixed in this Constitution for making any such apportionment, it shall be the duty of the Secretary of State, Auditor of Public Accounts, and Attorney General to meet at the office of the Governor and make an apportionment in accordance herewith within ninety days after the adjournment.

(No change suggested at this time.)

Time of Meeting and General Rules.

Section 9. The sessions of the General Assembly shall commence at 12 o'clock noon, on the Wednesday next after the first Monday in January, in the year next ensuing the election of members thereof, and at no other time, unless as provided by this Constitution. A majority of the members elected to each House shall constitute a quorum. Each House shall determine the rules of its proceedings, and be the judge of the election, returns and qualifications of its members; shall choose its own officers; and the Senate shall choose a temporary president to preside when the Lieutenant Governor shall not attend as president or shall act as Governor. The Secretary of State shall call the House of Representatives to order at the opening of each new assembly, and preside over it until a temporary presiding officer thereof shall have been chosen and shall have taken his seat. No member shall be expelled by either House except by a vote of two-thirds of all the members elected to that House, and no member shall be twice expelled for the same offense. Each House may punish, by imprisonment, any person not a member, who shall be guilty of disrespect to the House by disorderly or contemptuous behavior in its presence. But no such imprisonment shall extend beyond twenty-four hours at one time, unless the person shall persist in such disorderly or contemptuous behavior.

Section 9. The General Assembly shall convene at noon on Wednesday after the first Monday in January in odd numbered years. The Secretary of State shall preside over the House of Representatives until a temporary presiding officer is chosen, who shall preside until a Speaker is chosen. The Lieutenant Governor shall preside over the Senate and may vote in case of tie. The Senate shall choose a President to preside during the absence or pending the impeachment of the Lieutenant Governor, or while he acts as Governor.

A majority of the members elected to each House shall constitute a quorum. Each House shall determine its rules, choose its temporary and permanent officers, and judge the election and qualification of its members. Each House may punish, by imprisonment not exceeding twenty-four hours (unless the offense is persisted in), any person not a member guilty of disorderly or contemptuous behavior in its presence; and by a two-thirds vote of those elected, and once only for the same offense, may expel a member.

(This section incorporates Section 18 of the EXECUTIVE ARTICLE.)

Ref. No. 9, Intr. No. 369.
A Proposal entitled Executive Department.

Section 18. The Lieutenant Governor shall be president of the Senate, and shall vote only when the Senate is equally divided. The Senate shall choose a president *pro tempore*, to preside in case of the absence or impeachment of the Lieutenant Governor, or when he shall hold the office of Governor.

(See Section 9 above.)

Section 10. The doors of each House, and of Committees of the Whole, shall be kept open, except in such cases as, in the opinion of the House, require secrecy. Neither House shall, without the consent of the other, adjourn for more than three days, or to any other place than that in which the two Houses shall be sitting. Each House shall keep a journal of its proceedings, which shall be published. In the Senate, at the request of two members, and in the House at the request of five members, the yeas and nays shall be taken on any question, and entered upon the journal. Any two members of either house shall have liberty to dissent from and protest, in respectful language, against any act or resolution which they think injurious to the public or to any individual, and have the reasons of their dissent entered upon the journals.

Section 10. The doors of each House and of Committees of the Whole shall be open, except when, in the opinion of the House, secrecy is required. Neither House, without the consent of the other, shall change its place of sitting or adjourn for more than three days. Each House shall keep and publish a journal of its proceedings. Two members of the Senate or five members of the House may have the yeas and nays taken on any question and entered upon the journal. Two members of either House may have entered upon the journal in respectful language the reasons for their dissent from or protest against any act or resolution.

Style of Laws and Passage of Bills.

Section 11. The style of the laws of this State shall be: "Be it enacted by the People of the State of Illinois, represented in the General Assembly."

Section 11. The enacting clause of laws shall be: Be it enacted by the people of the State of Illinois, represented in the General Assembly.

Section 12. Bills may originate in either House, but may be altered, amended or rejected by the other; and on the final passage of all bills, the vote shall be by yeas and nays, upon each bill separately, and shall be entered upon the journal; and no bill shall become a law without the concurrence of a majority of the members elected to each House.

Section 12. Bills may be originated, amended or rejected in either House. No bill shall become law unless on final passage in each House a majority of the elected members concur by yea and nay vote, which shall be taken separately on each bill and entered in the journals.

Section 13. Every bill shall be read by title on three different days in each House, but the rules of either House may provide for the reading of bills at greater length on second

Section 13. Every bill shall be read by title or at greater length on three different days in each House; shall be printed, with all amendments except an amendment

or third reading. The bill and all amendments thereto, except amendments striking out the emergency clause, shall be printed before the vote is taken on its final passage; and every bill, having passed both Houses, shall be signed by the presiding officers thereof. No act hereafter passed shall embrace more than one subject, and that shall be expressed in the title, but if any subject shall be embraced in an act which shall not be expressed in the title, such act shall be void only as to so much thereof as shall not be so expressed. No act shall be revived by reference to its title only. Any act expressly purporting to amend a section or sections of an earlier law, shall set forth at length the section or sections as amended. Appropriation Acts shall not take effect until the first day of July next after their enactment, nor other acts until sixty days after the adjournment of the session of the General Assembly at which they are enacted, unless, in case of emergency (which emergency shall be expressed in the body of the act), the General Assembly shall, by a vote of two-thirds of all the members elected to each House, otherwise direct.

striking out the emergency clause, before final passage; and when passed by both Houses shall be signed by their presiding officers and the fact of signing entered upon the journals.

No act hereafter passed shall embrace more than one subject and that shall be expressed in the title; but any act embracing a subject not expressed in the title shall be void only as to such subject. No act shall be revived by reference to its title only. An act expressly amending an act shall set forth at length the section or sections as amended.

No appropriation act shall take effect until the first day of July succeeding its enactment, and no other act shall take effect until sixty days after the adjournment of the session at which it was enacted; but in case of emergency (which shall be expressed in the body of the act), the General Assembly may direct otherwise, by a vote of two-thirds of the members elected to each House.

Privileges and Disabilities.

Section 14. Senators and Representatives shall, in all cases, except treason, felony or breach of the peace, be privileged from arrest during the session of the General Assembly, and in going to and returning from the same; and for any speech or debate in either House, they shall not be questioned in any other place.

Section 14. Except for treason, felony or breach of the peace, Senators and Representatives shall be privileged from arrest while going to, attending or returning from sessions of the General Assembly; and for any speech in either House they shall not be questioned elsewhere.

Section 15. No person elected to the General Assembly shall receive any civil appointment within this State from the Governor, the Governor and Senate, or from the General Assembly, during the term for which he shall have been elected; and all such appointments and all votes given for any such members for any such office or appointment, shall be void.

Section 15. No person elected to the General Assembly shall receive any civil appointment from the Governor during the term for which he is elected.

Public Moneys and Appropriations.

Section 16. The General Assembly shall make no appropriation of money out of the treasury in any private law. Bills making appropriations for the pay of members, officers and employes of the General Assembly shall contain no provision on any other subject.

Section 16. Appropriation bills to pay members, officers and employes of the General Assembly shall contain no provision on any other subject.

The Auditor shall publish within sixty days after the adjournment of each session of the General Assembly a statement of the expenses of such session specifying the amount of each item and to whom and for what paid.

Section 17. No money shall be drawn from the treasury except in pursuance of an appropriation made by law, and on the presentation of a warrant issued by the Auditor thereon; and no money shall be diverted from any appropriation made for any purpose, or taken from any fund whatever, either by joint or separate resolution. The Auditor shall, within 60 days after the adjournment of each session of the General Assembly, prepare and publish a full statement of all money expended at such session, specifying the amount of each item, and to whom and for what paid.

Section 17. No money shall be drawn from the Treasury except under an appropriation made by law and on presentation of a warrant issued by the Auditor.

Section 18. Each General Assembly shall provide for all the appropriations necessary for the ordinary and contingent expenses of the government for the fiscal period beginning the first day of July of the year in which such General Assembly convenes, and ending upon the thirtieth day of June in the second year thereafter, the aggregate amount of which shall not be increased without a vote of two-thirds of the members elected to each house, nor exceed the amount of revenue authorized by law to be raised in such time. All appropriations for expenditures in any biennial appropriation period, shall be available only to meet obligations incurred before the June 30 which ends such appropriation period. The General Assembly, however, may authorize the payment of obligations incurred on or before such June 30 during a three months period following that date, but shall have no authority to continue such appropriations for any other purpose or for any longer period.

The State may, to meet casual deficits or failures in revenues, con-

Section 18. Each General Assembly shall make appropriations for the expenses of the government for a period of two years from the first day of July of the year in which it convenes. After such appropriations have been made the aggregate amount thereof shall not be increased except by a vote of two-thirds of the members elected to each House.

All appropriations for any such two year period shall end with the period, except that obligations incurred during the period may be paid within three months thereafter.

All appropriation bills shall be itemized and shall specify the objects and purposes for which the items are appropriated.

Section 18½. The State may contract debts:

1. For meeting casual deficits in revenue up to one million dollars.

2. For defense in war, for suppressing insurrection or repelling invasion.

3. For the deep waterway as provided in this Constitution.

Money so borrowed shall be applied only to the purposes for which

tract debts, never to exceed in the aggregate one million dollars; and moneys thus borrowed shall be applied to the purpose for which they were obtained, or to pay the debt thus created, and to no other purpose; and no other debt, except for the purpose of repelling invasion, suppressing insurrection, or defending the State in war (for payment of which the faith of the State shall be pledged), shall be contracted, unless the law authorizing the same shall, at a general election, have been submitted to the people and have received a majority of the total number of votes cast at such election. The General Assembly shall provide for the publication of said law for three months, at least, before the vote of the people shall be taken upon the same; and provision shall be made, at the time, for the payment of the interest annually, as it shall accrue, by a tax levied for the purpose, or from other sources of revenue; which law, providing for the payment of such interest by such tax, shall be irrepealable until such debt be paid: Provided, that the law levying the tax shall be submitted to the people with the law authorizing the debt to be contracted.

it is obtained or for the payment of the debts thus created.

No other debt shall be contracted by the State unless the law authorizing it is approved by a majority of those voting at a general election. Any such law shall be published for at least three months before the election. Provision shall be made when the debt is contracted for the annual payment of interest either by a tax to be levied for the purpose or by setting aside other revenues. Any law providing for such tax shall be submitted to the people with the law authorizing the debt, and if approved shall be irrepealable until the debt is paid.

Section 19. The General Assembly shall never grant or authorize extra compensation, fee or allowance to any public officer, agent, servant, or contractor, after service has been rendered or a contract made, nor authorize the payment of any claim, or part thereof, hereafter created against the State under any agreement or contract made without express authority of law; and all such unauthorized agreements or contracts shall be null and void: Provided, the General Assembly may make appropriations for expenditures incurred in suppressing insurrection or repelling invasion.

Section 19. No extra compensation or allowance shall be given by law to any public officer, employe or contractor after service has been rendered or contract made. Claims against the State under agreements made without express authority of law shall be void, except claims for expense incurred for defense in war, for suppressing insurrection or repelling invasion.

Section 20. The State shall never pay, assume or become responsible for the debts or liabilities of, or in any manner give, loan or extend its credit to, or in aid of, any public or other corporation, association or individual.

Section 20. Except as otherwise provided in this Constitution, the money or credit of the State shall never be used in aid of any public or private corporation, association or individual.

Pay of Members.

Section 21. Until otherwise prescribed by law, the members of the General Assembly shall receive such compensation and mileage as are now paid. No change shall be made in the compensation or mileage of members of the General Assembly during the term for which they may have been elected, and no member shall receive any other allowance or emolument, directly or indirectly, for any purpose whatever. The pay and mileage allowed to each member of the General Assembly shall be certified by the presiding officers of their respective houses and entered on the journals, and published at the close of each session.

Section 21. The pay and mileage allowed each Senator and Representative shall be certified by the presiding officers of their respective Houses and published in the journals; and no Senator or Representative shall receive any other compensation or allowance.

Section 21½. No public officer shall have his compensation increased or diminished during his term.

(NOTE: This is suggested as a section in the Article on OFFICERS, as a substitute for the following provisions in the present Constitution:

Last part of Section 21, Article IV.
Part of Section 23, Article V.
Section 7, Article VI.
Section 16, Article VI.
Section 25, Article VI.
Section 11, Article IX.
Section 10, Article X.)

Section 22. The General Assembly shall not pass local or special laws in any of the following enumerated cases, that is to say: for—

Granting divorces;

Changing the names of persons or places;

Laying out, opening, altering and working roads or highways;

Vacating roads, town plats, streets, alleys and public grounds;

Locating or changing county seats;

Regulating county and township affairs;

Regulating the practice in courts of justice;

Regulating the jurisdiction and duties of justices of the peace, police magistrates and constables;

Providing for changes of venue in civil and criminal cases;

Incorporating cities, towns or villages, or changing or amending the charter of any town, city or village;

Providing for the election of members of the board of supervisors in townships, incorporated towns or cities;

Summoning and impaneling grand or petit juries;

Providing for the management of common schools;

Regulating the rate of interest on money;

The opening and conducting of any election, or designating the place of voting;

Section 22. No local or special law shall:

Grant divorces;

Change the names of persons and places;

Provide for opening, altering or working public highways;

Vacate highways, public grounds, or town plats;

Regulate county or township affairs;

Regulate the organization, jurisdiction, powers, proceedings, practice, process, judgments or decrees of courts of the same class or grade;

Incorporate cities, towns or villages or amend their charters;

Provide for summoning or impaneling juries;

Provide for the management of common schools;

Regulate interest rates;

Regulate elections or designate places of voting;

Regulate the sale or mortgage of real estate of persons under disability;

Protect game or fish, unless by reasonable classification of waters;

Authorize ferries or toll bridges;

Remit fines, penalties or forfeitures;

Change the law of descent;

Grant the right to lay down railroad tracks; or

Grant any special or exclusive privilege, immunity or franchise.

The sale or mortgage of real estate belonging to minors or others under disability;

The protection of game or fish; but reasonable classification of waters may be made;

Chartering or licensing ferries or toll bridges;

Remitting fines, penalties or forfeitures;

Creating, increasing or decreasing fees, percentages or allowances of public officers, during the term for which said officers are elected or appointed;

Changing the law of descent:

Granting to any corporation, association or individual the right to lay down railroad tracks, or amending existing charters for such purpose:

Granting to any corporation, association or individual any special or exclusive privilege, immunity or franchise whatever.

In all other cases where a general law can be made applicable, no special law shall be enacted.

Nor shall any special law be passed where a general law can be made applicable.

Section 23. The General Assembly shall have no power to release or extinguish, in whole or in part, the indebtedness, liability or obligation of any corporation or individual to this State, or to any political division thereof, or to any municipal corporation therein: Provided, however, that the General Assembly shall have power to enact statutes of limitation barring all actions on any such indebtedness, liability or obligation after the lapse of twenty years next after the cause of action shall have accrued: Provided, also, that any such statute of limitation shall require an official audit before the statute begins to run in the case of a public officer.

Section 23. No liability due the State or any subdivision thereof, or any municipal corporation, shall ever be released or extinguished by law; but statutes of limitation, requiring an official audit before beginning to run in favor of a public officer, may bar action on any such liability after twenty years.

Section 24. The General Assembly may, by joint resolution, approved on roll call by a majority of the members elected to each branch thereof, designate or appoint any committee, for the purpose of holding and conducting hearings and investigations or conducting any legislative business, the rights, duties, powers and functions of such committee shall not cease, end and determine with and upon the *sine die* adjournment of the General Assembly so

Section 24. By joint resolution concurred in on roll call by a majority of the members elected to each House, the General Assembly may authorize committees to continue after its *sine die* adjournment and until the next regular session convenes.

appointing or designating such committee, but shall continue in force, effect and operation until the work and object of such committee shall be completed: Provided, however, that the life and existence of such committee shall not extend into and beyond the next following biennial session of the General Assembly.

Section 25. The House of Representatives shall have the sole power of impeachment; but a majority of all the members elected must concur therein. All impeachments shall be tried by the Senate; and when sitting for that purpose, the Senators shall be upon oath, or affirmation, to do justice according to law and evidence. When the Governor of the State is tried, the chief justice shall preside. No person shall be convicted without the concurrence of two-thirds of the Senators elected. But judgment, in such cases, shall not extend further than removal from office, and disqualification to hold any office of honor, profit or trust under the government of this State. The party, wether convicted or acquitted, shall, nevertheless, be liable to prosecution, trial, judgment and punishment according to law.

Section 25. The Governor and all civil officers of the State shall be liable to impeachment for misdemeanor in office. The House of Representatives shall have the sole power of impeachment, but a majority of its elected members must concur therein. All impeachments shall be tried by the Senate, each Senator being upon oath or affirmation to do justice according to the law and the evidence. When the Governor is tried the chief justice shall preside. No person shall be convicted without the concurrence of two-thirds of the Senators elected. Judgment in case of impeachment shall not extend beyond removal from office and disqualification for any office under the State; but the party impeached, whether convicted or acquitted, shall be liable to prosecution according to law.

(NOTE: The first sentence of this section is taken from Section 15, Article V, without change.)

Miscellaneous.

Section 26. No member of the General Assembly shall be interested, either directly or indirectly, in any contract with the State, or any political division thereof or municipal corporation therein authorized by any law during the term for which he shall have been elected, or within one year after the expiration thereof. No other officer of this State shall be interested, either directly or indirectly, in any contract entered into by the State; and no officer of any municipal corporation, county, town or other officer, board or commission shall be interested, directly or indirectly, in any contract entered into by such bodies.

Section 26. No member of the General Assembly shall be beneficially interested directly or indirectly in any contract with the State or any subdivision thereof, or any municipal corporation, authorized by law during his term or within one year after his term expires.

No other officer of this State shall be beneficially interested directly or indirectly in any contract with the State.

No officer of any subdivision of the State or of any municipal corporation or of any board or commission shall be beneficially interested directly or indirectly in any contract with the particular body of which he is an officer.

(NOTE: The last two paragraphs of Section 26 should be transferred to a general article on OFFICERS.)

Section 27. The General Assembly shall have no power to authorize lotteries or gift enterprises for any purpose, and shall pass laws to prohibit the sale of lottery or gift enterprise tickets in this State.

Section 27. Lotteries and gift enterprises are forbidden.

Section 28. No law shall be passed which shall operate to extend the term of any public officer after his election or appointment.

Section 28. The term of any public officer shall not be extended by law after his election or appointment.

Section 29. The General Assembly may provide for the establishing and opening roads and cartways, connected with a public road, for priate and public use.

Section 29. The General Assembly may provide for:

Opening private roads to communicate with public roads;

Permitting owners and lessees of lands and minerals to construct drains, ditches and levees upon, across or under the lands of others for agricultural, sanitary and mining purposes; and

Organizing drainage districts having powers of eminent domain and special assessment for flood control or for sanitary or agricultural purposes, the expense of such districts to be paid for in whole or part by the State or by the district.

This section shall not be construed as a limitation of the powers of the General Assembly.

Section 30. The General Assembly may pass laws: (1) Permitting the owners and lessees of lands and of minerals to construct drains, ditches, and levees upon or across the lands of others for agricultural, sanitary and mining purposes; (2) providing for the organization of drainage districts and investing their corporate authorities with powers of eminent domain, and special assessment, and with such other appropriate powers as the Geneal Assembly may deem necessary, for the development, construction and maintenance of flood control, irrigation and of drainage for sanitary, agricultural, and mining purposes; and (3) may provide for the development, construction, and maintenance of such projects in whole by such drainage districts or for the purpose of making surveys and straightening and improving water courses in part at the expense of such drainage districts and in part by the State or any political subdivision thereof.

(Combined with Section 29 above.)

The authority given for the accomplishment of the purposes set forth in this section shall not deprive the General Assembly of the power to provide other means for the accomplishment thereof.	
Section 31. The General Assembly shall pass liberal homestead and exemption laws.	Section 30. (No change suggested.)
Section 32. Whenever any death, disability or retirement fund shall have been or shall be created by law, and a part of the compensation of a public officer or employe is required to be deferred and contributed thereto, as the whole or as a part thereof, such public officer or employe or his beneficiary may have a vested interest therein as may be provided by law, but such interest shall attach only to the fund accumulated, and shall impose no obligation upon the State to create or maintain such fund.	Section 32. Any public officer or employe, or his beneficiary, may be given by law a vested interest in the accumulated portion of any death, disability or retirement fund to which he is required by law to contribute a part of his compensation; but such interest shall impose no obligation on the State or any subdivision thereof, or any municipal corporation in regard to the fund accumulated.
Ref. 18, Intr. No. 355. A Proposal to authorize legislation for the conservation of forests and provide for the taxation of forest lands. The General Assembly shall pass laws for the encouragement of forestry, and may classify for taxation areas devoted to forests and forest culture.	Section 31. The General Assembly shall pass laws to encourage forestry. Areas devoted to forests or forest culture may be classified for taxation. (NOTE: The foregoing is Reference Proposal No. 18—the FORESTRY Proposal—which properly belongs in the Legislative Article.)
Ref. 21, Intr. No. 382. A Proposal relative to Amendments to the Federal Constitution. Whenever the Congress of the United States shall by appropriate resolution, propose an amendment to the Federal Constitution, such resolution shall be filed and remain in the office of the Governor until after the members of the next General Assembly shall have been elected. When pursuant to law and this election, the General Assembly shall have been organized, the Governor shall present such resolution and proposed amendment for consideration.	Section 33. No General Assembly or Convention shall act upon any proposed amendment to the Constitution of the United States unless such General Assembly or Convention is elected after the amendment is submitted for ratification. (NOTE: The foregoing is Reference Proposal No. 21—Amendments to the Federal Constitution—which properly belongs in the Legislative Article.)

Respectfully submitted,

ELAM L. CLARKE, *Chairman.*
THOS. RINAKER.
CHARLES B. T. MOORE.
E. H. DUPEE.
H. E. TORRANCE.
GEORGE A. BARR.
EDWARD H. BREWSTER.
Committee on Phraseology and Style.

IN RE PROPOSAL NO. 366.

Memorandum from Committee on Phraseology and Style, Accompanying Report on Proposal No. 366, being a Proposal Relative to The LEGISLATIVE DEPARTMENT.

Section 1. No change has been made in this section except to condense the sentence and omit the last clause, which is obviously needless since the point is covered in the next section.

Section 2. If this section is analyzed it will be found to contain three ideas:

1. It fixes the date for election of members of the General Assembly.
2. It requires an election every two years in even numbered years.
3. It provides for filling vacancies.

The proposed article on Suffrage and Elections establishes a single election in each year and fixes the date of the election; accordingly the first of the above provisions is no longer necessary and it has been dropped.

Section 9 of this article requires the General Assembly to convene in odd numbered years. The section here under consideration as revised fixes the length of terms of Senators and Representatives. New members therefore will automatically be elected to succeed those whose terms expire, and the election will necessarily take place in the previous November. Accordingly the provision as to the year for holding the election for members of the General Assembly becomes unnecessary and it has been omitted.

The third provision, as to vacancies, has been condensed but its meaning has not been changed. The word "vacancies" taken in its context obviously includes vacancies in "either house," and a statement to that effect is not necessary. The election here concerned is a "special" election and it should be so characterized. The phrase "issue writs of election" means no more than "call an election." Accordingly the latter language has been used, since it is simpler and more direct. The words "or person exercising the powers of the Governor" are obviously unnecessary and have been dropped; throughout the Constitution the duties imposed on the Governor automatically devolve upon the person who acts as governor, without a statement to that effect being made.

The provisions regulating terms of office of Senators and Representatives found in Sections 6 and 7 respectively of this article belong logically in this section and have been inserted in it. In the Executive Article and in the Judiciary Article the particular section which provides for election of officers also prescribes the length of their terms. The same arrangement should be adopted in this article.

As thus revised the section contains everything expressed by the reference draft which is necessary to be stated.

Section 3. This section contains four limitations affecting members of the General Assembly:

1. They must have reached a certain age.
2. They may not hold any other lucrative public office, with certain exceptions.
3. They must be citizens of the United States.
4. They must have certain qualifications as to residence.

These four limitations have been rewritten in less than half the number of words of the reference draft. This reduction has been secured by using general and inclusive terms instead of enumerating the particular things excluded. The change suggested is in accordance with the fundamental rules of legislative drafting when an inclusive result is desired. The section as thus revised will be found to contain every idea expressed in the reference draft without change of meaning.

The last sentence of the reference draft is applicable to all officers in the State, including members of the General Assembly. The sentence has accordingly been transferred to the next section and is discussed there.

Section 4. This section in the reference draft is taken without change from the present Constitution. In 1870 the form of the section was radically changed from that found in the Constitution of 1848.

The section has no logical place in the Legislative Article since it affects all officers in the State as well as members of the General Assembly. The same thing may be said of the last sentence of the previous section; the two provisions belong together and have been consolidated. The entire section as revised should be transferred to some other part of the Constitution, preferably to an article on "Officers."

As revised, the section contains three main ideas, each of which has been expressed in a separate paragraph for purposes of clarity and force.

In the Constitution of 1870 the provision as to public moneys is repeated in Section 11 of the Revenue Article, where, however, the provision concerns only "municipal corporations." In the proposed Revenue Article this latter provision has been dropped, no doubt because it was considered as fully covered by this section. Upon principle all three of the disqualifications for office here concerned should apply to all offices in the State, including offices in cities, counties, townships, etc. As revised, the section obviously covers all such offices, as well as State offices.

Section 5. The Debates of the Convention of 1870 contain a lengthy discussion as to the form of oath to be administered to members of the General Assembly. (Debates, pages 564 to 572.) Those Debates show that the Convention was trying to strike at certain evils which had persisted prior to 1870, but it is generally conceded now that the section has failed to do what its advocates contended it would accomplish. The history of the section during the fifty years it has been in the Constitution shows that its provisions have rarely, if ever, been invoked; at least there is no construction of the section by any court, and so far as your committee has been able to discover, no person was ever proceeded against under its provisions. In Section 25 of Article V of the present Constitution there appears a short form of oath which is required of all officers of the State "except members of the General Assembly and such inferior officers as may be by law exempted." In the Constitution of

1848 the Governor was required to take a special form of oath (Article IV, Section 6); all other officers, including members of the General Assembly, were required to take a uniform oath of office. While it is true that a number of the existing State constitutions contain a special form of oath for members of the General Assembly, yet it is equally true that all of the more recently adopted constitutions put members of the General Assembly on the same basis as other officers so far as the form of their oath of office is concerned. Thus in Massachusetts a "Rearrangement of the Constitution" was adopted in 1919, which consolidated several collateral provisions regarding oaths of office existing in the old Constitution and its Amendments. A single form of oath is required for members of the General Court of the State as well as all other officers. (Article 149.) The proposed new Constitution for Pennsylvania contains a uniform oath for all officers of the State, including members of the General Assembly; and the form of oath is radically condensed from that found in the present Constitution of that State. (Article VII, Section 4.) Accordingly your Committee recommends that Section 5 of this article be dropped from the Constitution, and that members of the General Assembly be required to take the form of oath prescribed in Section 25 of Article V.

But if the Convention should nevertheless decide to retain this section, the revised and shortened form of oath here given contains every idea expressed in the reference draft.

Section 6. No change suggested.

Section 7. No change suggested.

Section 8. No change suggested.

Section 9. This section of the reference draft is taken without change from the present Constitution. In 1870 the form and substance of the section were radically changed from what had previously existed in the Constitution of the State.

The section as it appears in the reference draft contains provisions affecting two separate subject matters:

1. It regulates the time of meeting and organization of the two Houses.

2. It lays down certain rules and regulations under which the two Houses are to operate.

The arrangement of the section in the reference draft from the point of view of logic is not good. The second and third sentences of the section concern themselves with matters arising after the Houses have been organized, while the provision for organizing the Houses is expressed later on in the section. Moreover the provision requiring the Senate to choose a temporary president is attached as a clause to another sentence, the main idea of which is concerned with the power of the Houses over their proceedings and the qualifications of their members. The order and arrangement of the section has therefore been made more logical and the two main ideas of the section have been made more distinct by dividing the section into two paragraphs. The first paragraph concerns itself with the provisions affecting No. 1 above, while the second paragraph is concerned with the provisions affecting No. 2 above.

The first sentence of the reference draft, fixing the hour, the day and the month when sessions shall begin, has been recast to state more directly the matter involved. The sentence has been thereby considerably reduced in length without change in meaning.

It will be noted that the reference draft requires the election of a "temporary president" for the Senate, to preside when the Lieutenant Governor is absent. The election of a "Speaker" however, is not required by the section and that officer is not even mentioned, although the Speaker is mentioned in other sections of the Constitution, as for example, in Section 19 of Article V, providing for succession to the office of Governor. As revised, the section expressly requires a "Speaker" to be elected.

The last three sentences of the reference draft concern themselves with the powers of discipline of the two Houses over their members and over persons who are not members. These provisions have been consolidated into a single sentence, thereby effecting a considerable saving in words without change in meaning.

Section 10. No change in substance has been made in this session. The sentence structure of the section as revised remains the same as in the reference draft, but each sentence has been somewhat shortened. In the last sentence of the section, if members may have the "reasons for their dissent entered upon the journal" it is obvious that the members may dissent, and the statement to that effect is unnecessary.

Section 11. This section has appeared without change since its adoption in the Constitution of 1818. The word "style" is really used in the sense of "enacting clause"; this is obvious from the context of the section. This usage of the word was common one hundred years ago in this specialized sense, although there is seemingly no justification for such use of the word in any dictionary or law book. The use of the word "style" seems to have been copied in this State from the Constitution of Connecticut, which was also adopted in the year 1818, forming a model for many provisions of the first Constitution of Illinois. The Constitution of Maine, adopted in the year 1819, uses the word "style" in the same sense, and many state constitutions have followed the example of the earlier states in this regard. However, the constitutions of some of the later states, particularly New York (Article III, Section 14), have used the more definite term "enacting clause." This is the term under which the section in question is generally indexed. (See Index Digest of State Constitutions, New York Constitutional Convention 1915, page 832.) In accordance with the modern tendency the words "enacting clause" have therefore been submitted for the word "style."

The words "this State" have been dropped, since it is obvious the provision relates to the laws of this State and cannot affect the laws of any other state.

Section 12. This section contains two provisions:

1. It guarantees the equality of the Houses as to originating, amending or rejecting bills.
2. It prescribes certain requirements for the passage of bills.

The first provision has been redrafted into a separate sentence since it logically belongs in that form. The word "altered" has been dropped as redundant, its meaning being fully covered by the word "amended."

The second part of the section contains four requirements which must be complied with before bills may become law:

a. A vote by yea and nay must be taken in each House.

b. A majority elected to each House must concur in the vote.

c. The vote in each House must be entered upon the journal of that House.

d. The vote in each House must be taken separately upon each bill.

In the reference draft the phrase "each House" appears at the end of the section, and if properly construed would modify only the provision as to majority vote. This is not in accordance with the context of the section nor in accordance with the rules of constitutional law. In the section as revised the words "each House" are made to modify each one of the four requirements enumerated above. This part of the section has been further revised in order to shorten it and to make the sequence of its ideas more logical.

Section 13. This section, if analyzed, will be found to contain three three main ideas:

1. The provisions as to reading, printing and signing of bills.

2. The provisions as to the subject-matter of bills and the manner of their expression.

3. The provision as to when bills shall take effect.

Each of these ideas has been expressed in a separate paragraph for obvious grammatical and rhetorical reasons. The section is thereby simplified and the relation of its various parts one to the other made clearer.

The first paragraph as revised expresses the three requirements as to "reading," "printing" and "signing" in chronological order and gives them equal importance.

The reference draft is changed in two respects from the Constitution of 1870.

First: The provision "by title * * *, but the rules of either House may provide for the reading of bills at greater length on second or third reading," has been added. This amendment has been expressed in the section as revised by the words "by title or at greater length." In the shorter form full effect is given to the amendment as intended by the Committee of the Whole.

Second: The words "except amendments striking out the emergency clause" were also added as an amendment by the Committee of the Whole. No change has been made in this language except to use the word "amendment" in the singular instead of the plural; obviously there will be only one amendment in this connection for each bill.

The provision as to "signing" of bills is obscure because it does not indicate how such signing is to be proved. Certain members of the Convention who are familiar with the procedure in the General Assembly have called this fact to the attention of your committee. Thus it may

be asked: Is signing a jurisdictional matter which must appear from the journals? Or may it be proved only by the physical signature on the bills themselves? Or may it be proved by other evidence? Many of the more modern constitutions provide specifically that the journals must show the fact of signing. (See Constitutions as follows: Alabama, Article IV, Section 66; Colorado, Article V, Section 26; Kentucky, Section 56; Louisiana, Section 41; Mississippi, Article IV, Section 59; North Dakota, Article II, Section 66; Pennsylvania, Article III, Section 9; South Dakota, Article III, Section 19; Tennessee, Article II, Section 18; Texas, Article III, Section 38; Utah, Article VI, Section 24; Virginia, Article IV, Section 50; Wyoming, Article III, Section 28.) The proposed new Constitution for Pennsylvania covers the point by a provision as follows: "The fact of signing shall be entered on the journal." In order to secure greater clarity on this point, and to bring the Constitution of this State in line with the modern provisions in other states, the clause "and the fact of signing entered upon the journals" has been added to the first paragraph.

The second paragraph of the section as revised appears in substantially the same form as in the reference draft. The three sentences of the reference draft are retained, but the last part of the first sentence—as to the portion of a bill which shall be void—has been recast in a shorter and clearer form. The sentence of the reference draft beginning "Any act expressly purporting to amend," etc., was adopted by the Committee of the Whole for the purpose of amplifying the provision found in the present Constitution on the point in question. As revised, the word "purporting" has been dropped from the sentence, since this word does not help the meaning intended to be conveyed. This sentence also has been somewhat recast and shortened for the purpose of making it clearer and at the same time more comprehensive.

The third paragraph of the section as revised incorporates the last sentence of the reference draft without material change. The provision, however, has been somewhat condensed and rephrased for purposes of clarity. The word "but" has been substituted for the less vigorous word "unless." The use of the relative pronoun "which" as an adjective ("which emergency") is condemned by grammarians. The pronoun alone is sufficient. The use of the word "otherwise" so near the end of the sentence is unfortunate; in the provision as revised this word has been placed nearer the idea which it modifies.

Section 14. No changes except rhetorical and grammatical ones have been made in this section.

In the reference draft the verb "shall * * * be privileged" is split apart and its parts separated by two subsidiary clauses, a usage generally condemned by grammarians. (See previous reports of this committee.) This defect has been corrected.

The exception in the first part of the section in the reference draft is embedded in the middle of the sentence. Clearness of expression requires an exception to be put either before or after the idea which it modifies, not in the middle of the idea itself.

In the second part of the section the word "debate" is redundant; it is included within the meaning of the word "speech," and has therefore been dropped.

The word "elsewhere" has been substituted for the phrase "in any other place."

Section 15. The purpose of this section is to forbid the appointment of members of the General Assembly to any other office. The section is intended to prevent members of the General Assembly from being rewarded for their legislative action or influence, and to prevent persons elected to the General Assembly from being induced to withdraw from it either before or after the General Assembly convenes, by the offer of political preferment. The provision comes practically without change from the Constitution of 1848. The purpose of the section, however, so far as the General Assembly is concerned, is duplicated by Section 10 of Article V of the Constitution; that section forbids the General Assembly to appoint any person to office, including its own members. As Section 10 of Article V has been revised the prohibition is effective against either the "Senate" or the "House of Representatives," as well as the General Assembly. Accordingly this section amounts only to a prohibition against the Governor so far as appointment of members of the General Assembly is concerned, and it has been revised on that basis.

The tense of the second verb "elected" has been changed from the future perfect to the present tense to conform to the rules of legislative drafting. (See Willard, "Legislative Handbook," Section 354.)

The last clause of the reference draft is needless, since the provision is self executing without it. If appointments are specifically forbidden by the Constitution there is no occasion to say such appointments "shall be void"—they are *ipso facto* void. Accordingly this clause of the section has been dropped.

Section 16. The first sentence of this section in the reference draft forbids appropriations of money by "any private law." This sentence appeared in the Constitution for the first time in 1870. No other State Constitution contains a like provision except Texas (Article XVI, Section 6), where the provision reads, "No appropriations for private or individual purposes shall be made." When the Convention of 1870 was considering this provision a motion to substitute the words "special law" for "private law" was made, on the ground that the two terms were synonymous, but the motion failed. (Debates 1870, pages 642, 643.) The term "special law" appears in Section 22 of this article; it is a term frequently used in state constitutions and is well understood in constitutional law. The term "private law" does not appear elsewhere in the Constitution of this State and is an unusual term in constitutional law. The sentence under consideration has been construed only once by the Supreme Court of this State, and then in a way that is not helpful. In the case of *Fergus* v. *Russell,* 277 Ill. 20 (1917), the court had under consideration a number of bills which appropriated money to private individuals, where no claims had been filed with the Court of Claims and where no judgments against the State had been secured. The bills

were attacked on the ground that they were invalid under this provision, as it was contended they amounted to appropriations made by "private laws." The Supreme Court, however, sustained the appropriations on the ground that they were not private laws, and said:

> "The meaning of the provision 'that the General Assembly shall make no appropriation of money out of the treasury in any private law' we do not understand to be that no appropriation can be made to a private person or individual, but it means that no appropriation for any purpose shall be made out of the treasury in any private law."

If the appropriations involved in *Fergus* v. *Russel* are not appropriations made under a "private law" it is difficult to understand what is meant by that term. Certainly the result is—under the decision of the Supreme Court—that the provision is practically meaningless; in any event it fails to prevent the very thing intended, that is, appropriations to private persons.

This provision, however, has been duplicated by a new provision introduced into the Revenue Article by the Committee of the Whole. In Section 1 of that article there appears the sentence, "Taxes shall be levied and collected under the general law and *for public purposes only.*" This latter provision effectively forbids the use of public money for private purposes, and the General Assembly therefore is prohibited by this latter section from appropriating money by any "private law." Accordingly the sentence under consideration has been dropped.

The rest of the section in the reference draft has not been changed except to shorten it.

The paragraph added to the section as revised, concerning reports of the Auditor, is discussed in the next section.

Section 17. This section contains two distinct ideas:

1. It governs the method of drawing money from the treasury.
2. It provides for reports to be made by the Auditor.

The first idea is stated in a double form: (a) Money must be drawn out of the treasury under "an appropriation made by law," and (b) no money may be drawn out of the treasury by "joint or separate resolution." Section 13 of this article regulates the passage of "laws" and automatically excludes from that category resolutions either joint or separate. Therefore if the word "law" in the first part of this provision is given its proper meaning, it is unnecessary to add the second part of the provision. Indeed the presence of the clause referring to a "joint or separate resolution" implies that the word "law" is used in a specialized sense, and that result is not intended.

This provision comes from Section 9 of Article I of the Constitution of the United States, where the provision reads, "No money shall be drawn from the treasury but in consequence of appropriations made by law." A provision similar to that in the Federal Constitution is found in all state constitutions except in those of a few of the New England states. The provision appeared in the above form in the Constitutions of this State of 1818 and 1848 and in the rejected Constitution of 1862. The double form of the provision first appeared in the

Constitution of 1870, and no other State except Maryland has followed the example of Illinois. Accordingly the provision as to "joint or separate resolution" has been dropped.

The second part of the section affecting reports of the Auditor has given your Committee some difficulty. Two separate constructions of this provision are open:

a. Shall the "statement" include moneys expended by *all branches of the Government* as the result of the session of the General Assembly?

b. Shall the "statement" include only moneys expended by the General Assembly *for its purposes?*

From the wording of the provision itself no one can say definitely which of these constructions was intended. In order to make the point clear your Committee communicated with the Auditor and asked for the construction placed by that department on this provision. The following is the Auditor's reply:

Springfield, October 30, 1920.

Hon. Charles H. Hamill,
Chicago Law Institute, Chicago.

DEAR SIR: Referring to your letter of the 29th relative to the requirement that the Auditor shall publish a statement of expenses of the General Assembly, the construction placed upon this by this office for all time back since its requirement, is that it shall be a statement of the amounts expended by the General Assembly at the session just previously held.

I am sending you under separate cover copies of all the available reports at this time.

Yours very truly,

(Signed) ANDREW RUSSEL,
Auditor of Public Accounts.

This letter (as well as the reports of the Auditor for a long time past, which are in accordance with the construction given in the latter) shows that the latter of the two constructions above indicated has become established by half a century of settled practice. In view of this construction the provision obviously belongs in the previous section, and it has accordingly been incorporated in that section as revised.

The provision under discussion has been somewhat reduced in length by the exclusion of superfluous words, but its meaning remains unchanged.

Section 18. This section is obviously concerned with two distinct subject matters, (1) appropriations made by the General Assembly, and (2) the debt of the State. In the reference draft these two matters appear as separate paragraphs, but because of their essentially different nature the two paragraphs have been recast into separate sections.

The first paragraph of the reference draft is substantially the same as the corresponding provision in the present Constitution, but the Committee of the Whole has added certain amendments as follows:

A. The provision as to the two year or "fiscal" appropriation period is made more definite.

B. The appropriation period is made to begin on a precise date by day and month instead of being measured by the loose method used in the present Constitution.

C. An express provision has been inserted permitting obligations incurred during the appropriation period to be paid within three months after the period expires.

If the paragraph as thus amended is analyzed it will be found to contain the following ideas:

1. A mandate on the General Assembly to provide for the expenses of the Government for a certain period.
2. A provision fixing that period.
3. A provision requiring two-thirds vote to increase appropriations once made.
4. A provision limiting the amount of appropriations to the amount of revenue "authorized by law to be raised in such time."
5. A provision as to the "lapsing" of appropriations at the end of the appropriation period.
6. An exception to the last provision allowing three months further time for certain obligations.

The first provision of the section as above indicated, being a mandate on the General Assembly, has never been construed by the Supreme Court. The provision has been touched upon in *Whittemore* v. *The People,* 227 Ill., 453 (1907), but in a case that did not affect the General Assembly. The purpose of this provision has, however, been discussed by the Attorney General in the folllowing language:

> "The object of the Constitutional provision requiring biennial appropriations for the support of the Government is to render all departments of the State Government dependent upon the will of the people as expressed by its representatives and to require the return to the source of power every two years for the necessary means of existence." ("Opinions of the Attorney General," 1912, page 1018.)

The Debates of the Convention of 1870 show that the provision here in question was adopted upon the assumption that the General Assembly would finish its work and adjourn within the first quarter of the year. (Debates 1870, page 540.) The "first fiscal quarter after adjournment" would therefore end July 1st of the year in question and appropriations would be made accordingly from July 1st to July 1st of every other year. As a matter of fact, the General Assembly for a great many years has continued its sessions into the second quarter of the year, and accordingly the "first fiscal quarter after adjournment" ends October 1st instead of July 1st. This explanation shows the obvious wisdom of fixing the appropriation period by precise date, rather than by reference to the time of adjournment of the General Assembly.

In this provision as revised, the phrase "ordinary and contingent expenses of the Government" has been shortened to "expenses of the Government." It will be obvious that the latter phrase includes the former. The use of specific terms by way of enumeration where a gen-

eral and inclusive result is intended, is a fundamental error in legislative drafting. (Willard, "Legislative Hand Book," Section 312.)

The word "fiscal" as used in the reference draft is taken over from a somewhat similar use of that word in this section in the present Constitution, where the word appears twice in the same sentence. But the term "fiscal quarter," which appears there, has been changed in the reference draft to "fiscal period." The "period" is precisely and definitely fixed by other words in the reference draft and nothing is added by the use of the word "fiscal." Accordingly this word has been dropped.

The second provision above is stated in the reference draft in a way which fixes the "beginning" and the "end" of the "period." It has been condensed in the section as revised by omitting the part of the provision as to when the period shall "end." If the length of the period is fixed at two years and the beginning of the period is fixed at July 1st, it is unnecessary to state when the period ends.

The third provision above indicated concerns the vote required to increase the "aggregate amount" of appropriations once made. This provision in the reference draft is in the same form in which it appears in the present Constitution. The meaning of the provision is somewhat obscure, because it cannot be said whether the "increase" meant is an increase during the process of passing the appropriation bill or an increase made after the appropriation bill has become law. Under the established legislative practice the latter of these two constructions has been adopted. (See for example, "Veto Messages", 1911-12, page 34.) However, in order to make the point entirely clear the provision has been recast to read "after such appropriations have been made", etc. Otherwise the provision has not been changed.

The fourth provision above indicated contains a limitation that appropriations shall not "exceed the amount of revenue authorized by law to be raised in such time". This provision comes without change from the Constitution of 1848. The provision therefore had its origin nearly three-quarters of a century ago and was devised as suitable to the financial and economic conditions of the State existing at that time. The revenue of the State in 1848, and even at the adoption of the Constitution of 1870, was derived almost entirely from direct taxes on real and personal property. The "amount of revenue" which would be raised in any two year period was a fairly constant quantity and could easily be computed in advance. The provision in question was therefore readily applied and was no doubt a desirable limitation. But under modern conditions a totally different situation is presented. In the first place, the revenue of the State is largely made up of special taxes and licenses which were unheard of when this provision was adopted; as for example, automobile taxes, inheritance taxes, and corporation fees. In the second place, the amount of these taxes changes rapidly with changing conditions, so that it is no longer practicable to forecast in advance the revenue to be raised by them. In the third place, a vast increase has taken place in the amount of appropriations. Thus, in the year 1873-74 the total amount of appropriations was $6,648,187. Over against this figure there may be set the appropriations for the year

1919-20, amounting to $63,436,059. The latter figure includes only the appropriations for the expenses of the Government and does not include bond issues for waterways and highways amounting to the further sum of $109,195,124. It will be apparent from what has been stated that this provision has lost its usefuluness. If a guess be made by the General Assembly as to the "amount of revenue to be raised" and the appropriations based upon that amount, the guess is quite likely to be wrong; it will be either much too low or much too large.

Another reason against the retention of this provision is the fact that it has never been enforced, and in the nature of things cannot be enforced. If the appropriations actually exceed the "amount of revenue to be raised", what is the result? Are all appropriations made by the General Assembly void? Or are all appropriations to be reduced pro rata? Or are the last appropriations made in point of time invalid? Or does the Auditor pay bills until the revenue is exhausted and then stop payment on further vouchers? These questions would be practical and cogent if the provision was in fact enforced. The Supreme Court, in the case of *Fergus* v. *Brady,* 277 Ill. 272 (1917), has recognized the situation here under consideration. An effort was made in that case to make the Court say that the amount of appropriations should depend upon the amount of revenue to be raised by the State tax rate. But the Court refused to take that view, and said in its opinion:

> "Circumstances may occur that will cause the reasonable expectations of the General Assembly as to the amount of revenue to miscarry or not to be fulfilled."

The Court indicated that the provision allowing the State to borrow money up to $250,000 was inserted for the purpose of making the provision here under discussion elastic and practicable.

In view of what has been said this provision has been dropped.

The fifth provision above indicated, as it appears in the reference draft, has been substantially changed from the corresponding provision in the present Constitution; while the sixth provision above indicated is new in the reference draft. The new provision is really an exception to the rule laid down by the present Constitution; the exception merely puts in express form the existing construction of this section, under which appropriations are valid for three months after the July 1st in question, if the obligation has been incurred before that time. As revised, the two sentences are expressed in a single sentence. The two provisions have been reduced to about one-third of their length as expressed in the reference draft, while the meaning conveyed has not been changed.

The section as revised has been broken up into several paragraphs for the purpose of clarifying it and making its provisions easier to grasp.

It will be noted that this part of Section 18 concerns itself with limitations on the General Assembly as to appropriation bills. In Section 16 of the Executive Article of the present Constitution there is found a provision requiring appropriation bills to be itemized by the General Assembly. This provision has been carried over in the same section and the same article in the reference draft. The provision is

obviously out of place in the Executive Article, which should concern itself with limitations upon executive officers. The logical place for the provision in question is in the Legislative Article, and it has accordingly been put in this section.

Section 18½. The provisions of the reference draft affecting the debt incurring power of the State are expressed in two sentences, each of which is long and involved. The paragraph here concerned must be read over and over again to get at its real meaning. When the paragraph is analyzed it will be found to contain the following ideas:

1. The State may contract debts up to one million dollars to meet deficits in revenue.
2. The money so borrowed must be used for the specific purpose for which it is borrowed, or pay the debt for which it was borrowed.
3. Further debts without limit may be incurred to pay claims arising in case of war, etc.
4. No other debt may be incurred except upon the following conditions:
   - (a) There must be a referendum on the law creating the debt.
   - (b) The law must be approved by a majority of all those voting at a general election.
   - (c) The law must be published for three months before the election.
   - (d) Payment of interest must be provided for when the debt is incurred, either by a special tax or by setting aside particular revenues.
   - (e) If the interest is to be paid by a tax, the law providing for the tax must be submitted to the people for approval with the law authorizing it; and is irrepealable if it becomes law.

The provisions thus found in the reference draft are substantially the same as the provisions in the corresponding section in the present Constitution, except that the debt limit to meet casual deficits has been increased from $250,000 to $1,000,000.

But the Convention has indirectly created an exception to this section by adopting the proposal on Canals and Waterways. There is a direct conflict in the reference draft between the provision of this section, as to "no other debt," etc., and the provision of the Canals and Waterways Proposal authorizing the General Assembly to incur an additional debt up to ten million dollars without a referendum. It is necessary to reconcile the Canals and Waterways Proposal with the section here under discussion; and this has been done by inserting a special provision as indicated.

The first three ideas outlined above may logically be expressed in a single sentence, which should include also the provision referring to the Canals and Waterways Proposal. The provision as thus revised obviates the necessity of making an exception of debts incurred in case of war, etc.

In the reference draft, and also in the Constitution of 1870, the limitation indicated in No. 2 above applies only to debts incurred to meet "casual deficits." This restriction of the limitation here concerned seems to be an obvious oversight. Upon principle this limitation—that the money so raised must be used for the specific purpose for which it is borrowed—should apply equally to all State debts which are not incurred under specific authority of law and approved by the people at a referendum. Such is the law, for example, in Michigan, where a similar limitation appears in the Constitution of 1908. (Section 10, Article X). The limitation there is made applicable to debts incurred for deficits in revenue as well as debts incurred in case of war, etc., and for other purposes. Accordingly in the section as revised this limitation has been placed at the end of the first paragraph, where it modifies all of the debts previously mentioned.

The long and complicated sentence of the reference draft here concerned has been rearranged and each idea expressed separately. As thus revised the sentence has been considerably shortened and its provisions made easier of comprehension, but without changing its meaning.

The fourth idea above outlined, with its five conditions, may logically be expressed in a separate paragraph. In the reference draft the various ideas here concerned are expressed in a confused and obscure manner. As revised, this part of the section contains each of the ideas outlined expressed in four sentences, which follow one another in logical order. Various minor changes made in this part of the section need not be discussed. All of the provisions of the reference draft have been included without any change in meaning.

Section 19. If this section is analyzed it will be found to contain two main ideas:

1. A provision forbidding extra compensation to be given by law to persons in public employ or to contractors on public work.
2. A provision forbidding contract claims against the State unless they have been authorized in advance by law—with three exceptions enumerated.

In the reference draft these ideas, which are inherently different, are thrown together in a single sentence; while the exceptions are added as a proviso at the end of the section. The sentence structure is thereby made illogical and the meaning of the section rendered obscure. In the section as revised these two ideas have been separated and each expressed in a single sentence. The exceptions have been made to appear as such and placed at the end of the second sentence, since they modify only that sentence. By putting the two sentences into the passive voice a considerable saving of words is effected without change of meaning.

In the first part of the section the words "agent" and "servant" have been omitted. The words "public officer, employe or contractor" have been used in the sense of including the words "agent" and "servant". A servant is obviously included within the word "employe". An agent is either an employe who draws a salary or is paid wages, or he is a "contractor" who is paid commissions under a contract.

In the reference draft the second provision above indicated is stated in a double form; the claims in question against the State are first for-

bidden, and second, they are made "null and void". In the sentence as revised the second form alone has been adopted. If such claims are made "void" no further language is needed to strengthen or emphasize that statement.

The words "null and void" mean no more than "void", and the latter term has accordingly been adopted.

Section 20. This section on its face purports to forbid State aid to any individual, association, or public or private corporation—either by grant of money or by assuming a debt or obligation. The proposed Constitution, however, contains a number of provisions which are in conflict with the section as thus worded in the reference draft. For example, Section 4 of the Article on Education permits such aid under certain limited circumstances. Again, the proposal concerning "Farm Land Credits" permits such aid to particular groups of individuals. The provision regarding "Pension Funds" permits such aid under certain circumstances. To a less degree, the "Forestry Proposal" amounts to an exception to this section, since it is really an indirect form of State subsidy. Other examples might be given, but these are enough to show that this section must be made subject to whatever specific provisions there may be found contrary to it in other parts of the Constitution.

The reference draft attempts to secure an all-inclusive result by enumerating the various acts or kinds of transactions which are forbidden. Attention has already been called in this report to the fundamental error in legislative drafting here involved. By adopting the general terms "money or credit of the State" and forbidding their use in general terms, the purpose of the section is reached more directly and more completely than is done by the reference draft.

The phrase "public or other corporation" is obscure, since the words "public" and "other" are not complementary to each other. The word "private" is properly used in contra-distinction with the word "public", and accordingly it has been adopted in the section as revised.

Attention should be called here to the fact that this section is largely duplicated by the new provision inserted in the Revenue Article, to the effect that taxes may be collected "for public purposes only". The two provisions should logically be construed together.

As revised the section has been considerably shortened, but its meaning has not been changed.

Section 21. The first sentence of this section in the reference draft is copied—but in a modified form—from the corresponding provision of the present Constitution. That provision fixed the pay and mileage of members of the General Assembly, but provided that the matter might be regulated by law. The subject was subsequently regulated by statute, so that the provision of the present Constitution is no longer in force and has served its purpose. The first sentence of the reference draft is therefore needless. It amounts merely to a constitutional recognition of the existing statute on the subject and provides further that the statute may be changed. Everything that is said in the sentence will be accomplished if the Constitution is silent on the point. This sentence has accordingly been dropped.

The second sentence of the section in the reference draft contains a limitation which affects all public officers as well as members of the General Assembly—namely, that their pay shall not be increased or diminished during their terms. A number of other provisions of the Constitution contain similar limitations:

Section 23, Article V, affecting the officers named in the Executive Article.

Section 7, Article VI, affecting members of the Supreme Court.

Section 16, Article VI, affecting judges of the Circuit Courts.

Section 25, Article VI, affecting the judges of the Circuit and statutory courts, and the State's Attorney in Cook County.

Section 11, Article IX, affecting "municipal officers."

Section 10, Article X, affecting "county officers."

In the section as revised a single provision has been drafted covering all these officers, and it is suggested that the new section be placed in a general article on "Officers". Thereby a single uniform provision on the point will appear in the Constitution at a place where it logically belongs. Furthermore, a substantial saving of words will be effected by omitting provisions which duplicate each other.

The rest of the section as found in the reference draft contains two limitations affecting members of the General Assembly.

1. Their pay and mileage must be certified by their respective presiding officers and published in the journals.

2. No member of the General Assembly shall receive any other compensation or allowance.

The first provision is expressed in substantially the same words as the reference draft. However, the pronoun "their" as used in the reference draft is ungrammatical; it does not have a proper antecedent. This defect has been corrected in the provision as revised.

In the second provision the words "compensation or allowance" are adopted as inclusive terms. Any payment or reward or benefit of a remunerative character should be held to be included within the limitation as thus expressed. The provision is not improved or strengthened by the words "directly or indirectly for any purpose whatever"; these words have accordingly been dropped.

Section 22. This section was new in the Constitution of 1870. It has been adopted in the reference draft without change, except for one minor point, which will be noted hereafter.

The Constitution of 1818 contained no such list of limitations affecting the General Assembly. The Constitution of 1848 contained but two limitations of this character: First, legislative divorces were forbidden, and second, the sale of privately owned real estate was forbidden by private law. The rejected Constitution of 1862 (Section 30, Article IV) contained a list of eight such limitations. In the Constitution of 1870 the list was increased to twenty-three, and in addition several similar limitations were incorporated in other parts of the Constitution. This development in the constitutional history of the State shows the increasing concern which came to be felt over the custom of passing special legislation. The custom in fact had grown to be excessive at the time of the adoption of the present constitution, as is shown by the

fact that at the previous session of the General Assembly in 1869 four volumes devoted to special legislation alone were enacted. The provisions adopted in 1870 have been effective and under modern conditions there has been no demand for amplifying this section.

The introductory clause of the section has been made shorter and more direct, but its meaning has not been changed.

No change has been made in the first two provisions of the section. In the next provision the words "laying out" and "opening" are synonymous and the former term has been dropped. The words "public highways" have been used as the equivalent of "roads or highways".

In the next provision the word "highways" has again been used as the equivalent of "roads * * *, streets, alleys".

The provision as to changing county seats has been dropped as unnecessary. This provision is duplicated in the Counties Article by a section specifically providing the manner for changing county seats, and the method there given is obviously exclusive. Moreover, the next provision in this section as to regulating county and township affairs would include changing county seats.

The next three provisions of the section are all concerned with courts. A provision similar in meaning is found in Section 50 of the proposed Judiciary Article. This latter provision has been consolidated with the three provisions here in question and all of them have been included in this provision as here revised. The wisdom of bringing together these scattered provisions will be obvious.

The provision as to incorporating cities, etc., has been reduced in length, but its meaning has not been changed.

The provision as to election of boards of supervisors has been dropped because its meaning is fully covered by the provision already noted affecting township affairs and by the provision already noted affecting the affairs of cities, towns and villages.

The provision regarding juries has been reduced in length but without change in meaning.

The provisions as to public schools, rates of interest, conduct of elections, sale of property of persons under disability, protection of game and fish, chartering ferries, and remitting fines, have each been somewhat rephrased but no change in meaning has been made in any of them.

The only change made by the Committee of the Whole in this section was to permit "reasonable classification of waters" for the protection of game and fish. This amendment was made necessary by the decision of the Supreme Court in the case of People v. Wilcox, 237 Ill., 421 (1908). In that case it was held that no distinction could be made by statute between Lake Michigan and any river or stream in the State, so far as regulation of fishing was concerned, because of the provision here in question in the Constitution of 1870. (See Debates May 26, 1920, page 35; see also People v. Diekman, 285 Ill. 97, 1918).

The provision as to fees or allowances of public officers has been dropped, since the purpose of this provision is fully covered by the general provision affecting public officers as suggested in Section 21½ above.

The remaining three provisions of the section have been condensed without change in meaning.

As thus revised, by the omission of unnecessary words and of duplicated provisions, the section has been reduced in length nearly one-half.

Section 23. The first sentence of the reference draft is substantially the same as Section 23, Article IV, of the present Constitution, but the provision has been extended by the Committee of the Whole to include "political subdivisions of the State". The rest of the section in the reference draft is new.

If the section is analyzed it will be found to contain the following ideas:

1. No law shall release any liability due the State or any subdivision of it including municipal corporations.
2. Statutes of limitations, however, may be passed effective against such liabilities after 20 years.
3. Such statutes of limitation shall not begin to run in favor of a public officer until an official audit is had.

The last two ideas are expressed in the reference draft by means of provisos. The disadvantages of the use of provisos have already been discussed in the previous reports of this Committee. As revised, the use of the provisos has been avoided and the section has been considerably shortened without any change in meaning.

The word "liability" has been substituted for the words "indebtedness, liability or obligation". "Liability" is defined by the Century Dictionary as "a fixed or contingent obligation". The word obviously includes an indebtedness, and is therefore an inclusive term which may be used alone.

Section 24. This section is a new one. Prior to 1915 the practice had become established of permitting legislative committees to sit after the final adjournment of the General Assembly and providing appropriations for their use after such adjournment. This practice, however, was declared invalid by the Supreme Court in the case of Fergus v. Russel, 270 Ill., 304 (1915).

The purpose of this section is to permit what the Supreme Court held invalid under the existing Constitution. (Debates May 26, 1920, page 36). The reference draft enumerates the purposes for which such a committee may sit. Such a provision is unnecessary, since the Committee will have the same powers after adjournment as before if the life of the Committee is continued. The language of the reference draft has been condensed also in other respects, but the meaning of the section has not been changed.

Section 25. This section concerns the power of the General Assembly over impeachments. In the present Constitution the subject of impeachment is dealt with in two widely separated sections; the subject is partly regulated by this section and partly by Section 15 of the Executive Article. Such a division of a single concise subject is inherently wrong. Accordingly Section 15 of Article V has been transferred to this section and has been placed at the beginning of the section where it logically belongs, without material change in its wording.

Section 26. This section is a consolidation of parts of Sections 15 and 25 of Article IV of the present Constitution. However, the provisions as there found have been made much broader and more drastic.

The Debates of the Convention (May 26, 1920, p. 37, and May 27, p. 8 et seq.) show a clear intention to make these provisions comprehensive and severe. The section as expressed in the reference draft contains three provisions:

1. No member of the General Assembly may be interested in any contract with the State or any of its subdivisions, including municipal corporations, if the law authorizing the contract is passed during the term of such member, or during one year after he has ceased to be a member.

2. All State officers are forbidden to be interested in any State contract.

3. All other public officers are forbidden to be interested in any contract made with any city, county, or township, etc., of which they are officers.

In the section as revised each of these provisions has been drafted in a separate paragraph for purposes of clarity.

Under the language of the reference draft an important question arises as to how far these provisions are self executing. If any of the officers mentioned has an interest in a contract contrary to these provisions, is the contract void or is it merely voidable at the option of the State or county or city? There has been considerable variance in the interpretation given by courts to provisions of a similar character in other constitutions and in the statutes of other states. Some jurisdictions hold the contracts void and others hold them merely voidable. See discussion on this point in 6 R. C. L. 740 and cases there cited; see also Young v. City of Mankato (Minn. 1905), 105 Northwestern, 969. The better doctrine seems to be that such contracts are merely voidable at the option of the State, county or city, etc., unless the language of the Constitutional provision or the statute requires the contract to be held void. See note to Bay v. Davidson, 9 L. R. A., N. S. 1014 (Iowa 1907). There has been no construction by the courts of this State which is decisive of the point, and the language of the provision in the reference draft cannot be said to be decisive of it. The question here involved was raised and discussed in the Debates, but a motion to reconsider the section for the purpose of discussing this question was lost. (Debates May 27, p. 7 et seq.) The position of the Convention on the point is therefore uncertain, and the question will be left to construction by the courts unless the Convention decides it by appropriate action.

Another question at once arises as to the effect of these provisions on any officer who may violate them. Does he thereby oust himself from office? This question was also raised in the Debates (May 27, 1920, p. 12) and the provision was construed as automatically rendering the office vacant when the facts as to violation of the provision by any officer are disclosed.

As the first provision has been revised it expresses the intention of the Convention in a somewhat more direct and shorter form than the reference draft. Provisions similar to the one here in question are found in a number of other state constitutions. (For list of such states

see Index Digest State Constitutions, New York Constitutional Convention 1915, p. 1109).

The second provision above indicated appears in practically the same form as the reference draft. Similar provisions appear in a number of other state constitutions. (For list of such states see Index Digest State Constitutions, New York Constitutional Convention, p. 1111).

Attention should be called to the provision appearing in the proposed new Constitution for Pennsylvania. The provision there proposed (Section 20, Article IV) is as follows:

> "No member of the General Assembly or officer or employe of the state government shall be interested in a contract with the state government, or in furnishing thereto materials or supplies."

It will be noted that the provision of the reference draft applies only to contracts of the State and in this respect is narrower than the provisions in most other state constitutions. However, the Pennsylvania provision as proposed extends the limitation to employes as well as officers. In commenting on the provision the Commission which drafted it says: (Reports of the Commission, p. 240.)

> "The section as proposed extends the prohibition to all employes of the State Government, as well as to all officers. The present Constitution confines the prohibition to officers."

The change made in the Pennsylvania draft involves a change in policy which does not come within the scope of the duties of this Committee. The matter is called to the attention of the Convention for such action as it sees fit to take.

The third provision above indicated is a new one in the Constitution of this State. The intention of the Convention as shown by the Debates was to make the provision applicable only to contracts made with the particular city, county, township, etc., with which the officer concerned may be connected. The uncertainty of the language in the reference draft on this point has been cleared up.

The obvious purpose of all of these provisions is to prevent the officer from using his official position for his own profit. The provisions do not intend to prohibit a public officer from being interested in any contract to the same extent as all other citizens. In other words, public officers should not be forbidden to be interested in contracts for reasons of patriotism, morality or other grounds affecting the public good. Accordingly the word "beneficial" has been inserted in all three of the provisions as revised to make this point clear.

Section 27. This section is taken over without change from the present Constitution. This provision first appeared in the Constitution of 1848, at a time when lotteries had grown to be a matter of grave public concern. The entire purpose of the section is expressed in the short form of the section as revised.

Section 28. This section has not been changed except to shorten it.

Sections 29 and 30. These sections have been consolidated in the draft as revised, since they are related in form and subject matter. Section 29 of the reference draft is Section 30 of the present Constitution without change. Section 30 of the reference draft is Section 31 of the

present Constitution in a revised and extended form. Taken together the two sections contain three ideas:

1. The General Assembly may provide for opening private roads across the land of other owners.

2. The General Assembly may provide for the opening of drains, ditches and levees across the lands of other owners for certain specified purposes.

3. The General Assembly may provide for organizing drainage districts for certain specified purposes and for giving such districts powers of eminent domain and special assessment as well as giving them State aid.

The first two of these provisions have been put in the Constitution for the purpose of rebutting limitations on the General Assembly which arise from implied limitations growing out of decisions of the courts as to "police power" and "due process." The provision with reference to private roads was placed in the present Constitution for the purpose of obviating two decisions of the Supreme Court which had previously held that the General Assembly had no such power. (Nesbitt v. Trumbo, 39 Ill., 110 (1866) and the Crear v. Crossly, 40 Ill., 175 (1866). (See Debates 1870, p. 889.) There has been no construction of this section by the Supreme Court since the section was adopted. The provision in the present Constitution with reference to ditches and levees was amended in 1878 for the purpose of giving the General Assembly power to authorize drainage districts and give them the right to levy special assessments. However, considerable doubt has arisen whether drainage districts have the power of special assessment under this section and under Section 9 of Article IX, which must be construed with it. There is also doubt as to the power of the General Assembly to give drainage districts power of eminent domain. The uncertainty about the power of the General Assembly in these two respects has hampered the organization of drainage districts in many parts of the State. (See Debates June 23, 1920, p. 10.)

The Committee of the Whole has added a further provision intended to authorize State aid to drainage districts. The power of the General Assembly to grant State aid to such districts is probably forbidden by Section 20, Article IV, of the present Constitution, although there has been no express decision of the point by the courts.

It is apparent therefore that these three provisions are really exceptions to general provisions appearing elsewhere in the Constitution. Under these exceptions the General Assembly is permitted to do certain particular things which otherwise it would be prohibited from doing. Accordingly it seems best to phrase the section in a form that shows clearly its purpose and meaning along the lines above discussed.

The last sentence of the section has been added for the purpose of negativing the implied limitations which might arise from the grants of power here given. This sentence has been somewhat revised and shortened, but its meaning, purpose and effect remain unchanged.

Section 31. This section is the same as Section 32 of the present Constitution. It appeared in the Constitution for the first time in 1870, although the rejected Constitution of 1862 (see Article XIV) contained

a long and elaborate provision of a similar kind. The provision has been copied into the Constitution of Colorado (Article XVIII, Section 1) and into the Constitution of Montana. (Article XIX, Section 4.) None of the other forty-five states have any similar provision in their constitutions. The reasons are obvious: First, the General Assembly has the power to pass such laws without such a provision; and second, although the provision is in the form of a mandate on the General Assembly, yet that body's discretion in the matter is not subject to control. The provision is futile from the point of view of constitutional law.

This section of the Constitution of 1870 has never been construed by our Supreme Court, and since the discretion of the General Assembly cannot be regulated by the court it is unlikely that the provision will be construed in the future. The provisions appearing in the Constitution of Colorado has been mentioned but not construed by the Supreme Court of that State in Keith v. Bedwell, 52 Col., 310. The same thing is true of the provision in the Constitution of Montana, where the provision has been mentioned only in one case, Mennell v. Wells, 51 Mont., 141.

No revision of the section is suggested; if the section is to remain, the form of the section appearing in the reference draft need not be changed. However, for the reasons already given, the omission of the section from the Constitution is suggested.

Section 32. This section is a new one. The purpose of the section is to permit the regulation of public pension systems, whether of the State or of any county or city, etc., in three respects:

1. By permitting the pension systems to be put upon a sound actuarial basis, so that the amounts contributed by the employes and the public will be sufficient to keep these systems in a solvent condition.
2. By authorizing the State, County or City, etc., to give the employe a vested interest in the accumulated portion of his pension.
3. By forbidding any financial burden to be placed on the State, County or City, etc., for the purpose of making up deficiencies in pension systems.

The pension laws now in force have been sustained under the present Constitution. (Hughes v. Traeger, 264 Ill., 612, 1914; People v. Abbott, 274 Ill., 380, 1916.) The system generally established by these laws is for the State, County or City, etc., to contribute the major part of the pension fund and the minor part to be deducted from the pay of the employe. The systems are therefore partly gratuitous and partly supported by the employes; but the entire fund is held to be "public money," not withstanding the fact that a considerable part of it has been deducted from the wages of the employes. Moreover, under the present Constitution the employe has no vested interest in the fund; he has only an expectancy created by the law, which the law may at any time revoke or destroy. (Pennie v. Reis. 132 U. S., 464; also Illinois cases cited above.) In view of the unsettled state of the law so far as constitutional restrictions are concerned, the General Assembly has, so far, hesitated to attempt a modern revision of the pension laws of the State. There are, however, as has already been stated, numerous pension systems in operation, most of them organized under separate laws; and it is estimated

that more than 60,000 public employes in the State are interested in these pension systems. It is hoped by the advocates of this section that it will crystalize and settle the legal status of these pension systems and will permit the General Assembly to proceed to put them on a sound actuarial basis so far as that may be done.

It should be borne in mind, however, that this provision is merely an authorization to the General Assembly and is in no way self executing. The provision does not affect the status of any of these systems, nor does it affect any person who is a pensioner under them. In other words, the entire purpose of the section is to untie the hands of the General Assembly regarding these pension systems.

The Debates in Committee of the Whole indicate that some members of the Convention were concerned lest the State, County, or City, etc., might be required to make good deficiencies in some or all of these pension systems. However, the provision outlined in No. 3 above was inserted for the purpose of preventing any such possibility. By this provision the General Assembly is forbidden to enact (1) any law giving the employe a vested interest in any public funds other than those accumulated for pension purposes, and (2) any law adding a financial burden to the State, County, or City, etc., which has established the pension system.

Added Section. This section is a revision of Reference No. 18, in regard to Forestry, and is a new provision in the Constitutional law of this State. The section consists of two parts:

1. A mandate on the General Assembly to pass laws encouraging forestry.

2. A provision which is really an exception to the Revenue Article permitting the classification of forest lands for purposes of taxation.

The section as revised has been changed only in minor details from the form in which it appears in the reference draft.

This reference proposal (Ref. No. 18) obviously belongs in the Legislative Article and has therefore been incorporated here.

Added Section. This section is a revision of Reference No. 21, concerning Amendments to the Federal Constitution, and is also a new provision in the constitutional law of this State. Its purpose is to permit the people of the State to have an indirect referendum on a proposed amendment to the United States Constitution. In other words, the people of the State are given the right to express themselves at an election on a proposed amendment by voting for candidates who may be pledged one way or the other as to the amendment.

The reference draft attempts to reach this result by requiring a number of procedural steps whenever a Federal amendment is proposed. The simpler way to reach the result intended is to require the election to be held before the amendment may be considered by the proper authorities of the State. If this is done it is unnecessary to provide the method for considering the amendment, since the existing law takes care of that matter. The section has accordingly been revised along the lines here suggested. As revised it is in the general form adopted by Florida

(XVI-19) and Tennessee (II-32), which are the only states in the Union having similar provisions in their constitutions.

The reference draft has in it an obvious defect since it assumes that Federal Amendments may be considered only by the General Assembly. The Federal Constitution provides that its amendments may be considered in the states either by a convention called for the purpose or by the General Assembly of the State. The reference draft overlooks the former method, and this oversight has been corrected in the section as revised.

The subject matter of this provision (Reference No. 21) is intimately connected with the subject of legislation. It therefore logically belongs in this article.

Report No. 13.

YOUR COMMITTEE ON PHRASEOLOGY AND STYLE, TO WHICH WAS REFERRED A PROPOSAL ENTITLED CANALS AND WATERWAYS, (INTRODUCTION NO. 377, REFERENCE NO. 16) AS AMENDED IN COMMITTEE OF THE WHOLE, RESPECTFULLY REPORTS THAT IT HAS CONSIDERED SUCH PROPOSAL AND HEREWITH SETS FORTH IN PARALLEL COLUMNS SAID PROPOSAL AS ADOPTED IN COMMITTEE OF THE WHOLE ON THE LEFT, AND A SUBSTITUTE THEREFORE AS RECOMMENDED BY THIS COMMITTEE ON THE RIGHT.

RESOLVED, *That the following shall become a part of the Constitution of Illinois:*

The Illinois Waterway and Illinois and Michigan Canal.	
Section 1. Bonds in the sum of twenty million dollars heretofore authorized under and pursuant to an amendment to the Constitution of 1870, ratified by the voters on November 3, 1908, and proclaimed adopted November 24, 1908, for the construction, maintenance and equipment of the Illinois Waterway and its appurtenances, when issued and sold, shall be valid obligations of the State, and the proceeds thereof shall be applied to the purposes for which they were authorized.	Section 1. (Reference Sections 1, 2, 3 and 6.) In addition to the proceeds of the twenty million dollars of bonds heretofore authorized for the deep waterway, ten million dollars may be expended therefor and all or part thereof secured by issuing bonds. The State shall make no other expenditure for any canal or waterway or appurtenance thereto except from the income thereof unless the expenditure is approved by a majority of all those voting at a general election.
Section 2. The General Assembly may make either additional appropriations or may authorize bonds to be issued and sold for the construction, maintenance, operation, extension, enlargement or equipment of the Illinois Waterway, or its appurtenances, in addition to the bonds heretofore authorized; but the aggregate amount of all such additional appropriations and bonds, except as	(Combined with Section 1.)

otherwise provided in Section 3 of this article, shall not exceed ten million dollars, unless the law making such appropriations or authorizing such bonds shall first have been submitted to a vote of the people of the State at a general election, and have been approved by a majority of all the votes polled at such election.

Section 3. The gross or total proceeds, receipts and income of the Illinois Waterway and its appurtenances, and of the Illinois and Michigan Canal, may be appropriated or pledged for the construction, maintenance, operation, extension, enlargement, or equipment of such waterway and its appurtenances, or of such canal.

(Combined with Section 1.)

Section 4. No waterway or canal owned or improved by the State shall be sold or leased, except as provided herein, until the specific proposition for the sale or lease thereof shall have been submitted to the electors of the State at a general election and approved by a majority of those voting at the election.

Section 2. (Reference Sections 4, 5 and 7.) No canal or waterway or integral part thereof, owned or improved by the State shall be leased or sold, except upon approval of a majority of all those voting at a general election. The General Assembly, however, may authorize the lease of the Illinois and Michigan Canal, or any part thereof, to provide terminals in connection with other navigable channels; such terminals to be for public use without discrimination. Leases of State canals and waterways and of State property held in connection therewith shall be subject to revaluation every twenty years.

Section 5. The General Assembly may authorize the lease of the Illinois and Michigan Canal, or any part thereof, or to provide terminals in connection with the Illinois Waterway or other navigable channel. Such terminals shall be for public use upon equal terms.

(Combined with Section 2.)

Section 6. No appropriation for the Illinois and Michigan Canal shall be made from the State treasury, except from the special fund in the treasury arising from the proceeds, receipts and income of such canal. Otherwise than as in this article provided, the General Assembly shall never loan the credit of the State or make appropriations from the treasury thereof in aid of canals.

(Combined with Section 1.)

Section 7. Leases for water power or railway or terminal purposes shall be subject to a revaluation for each twenty years of the term created.	(Combined with Section 2.)

Respectfully submitted,

ELAM L. CLARKE, *Chairman.*
THOS. RINAKER.
CHARLES B. T. MOORE.
E. H. DUPEE.
H. E. TORRANCE.
GEORGE A. BARR.
EDWARD H. BREWSTER.
Committee on Phraseology and Style.

IN RE PROPOSAL NO. 377.

Memorandum from Committee on Phraseology and Style, Accompanying Report on Proposal No. 377, being a Proposal entitled Canals and Waterways.

The subject of Canals was not mentioned in the Constitution of 1818 nor in the Constitution of 1848. The proposed constitution of 1862 was likewise silent on the subject. In 1870 the Convention adopted a provision which appears in "Separate Section 4" of the present Constitution. The provision was simple and consisted of two short paragraphs. It forbade the sale or lease of the Illinois and Michigan Canal or any other canal "owned by the State", except on referendum; and it forbade also appropriations to canals or railroads, except that the surplus earnings of a canal might be used for its maintenance or extension. The Debates of the Convention of 1870 show that the section was adopted for two reasons. In the first place, it was intended to prevent the railroads from buying up or leasing the Illinois and Michigan Canal for the purpose of driving out competition (Debates, pp. 311, 470); and in the second place, to prevent the canal from becoming a burden on the State. (Debates, pp. 484-487.)

By a constitutional amendment adopted in 1908, two further paragraphs were added to the section. The purpose of the amendment was likewise two-fold. It permitted the General Assembly to provide for the construction of a "deep waterway" from Lockport to Utica and authorized the expenditure of twenty million dollars for that work; and it provided that leases of water power developed from the waterway might be made, but the income from such leases must be paid into the State treasury and the leases must be subject to revaluation every ten years.

The provisions of the section as they existed prior to 1908 gave rise to comparatively little difficulty, and the Supreme Court has been called upon to construe them in only three cases. The first of these provisions was in fact not enforced until the case of Burke v. Snively, 208 Ill. 328, was decided in 1904. That case terminated the practice which had grown up in the General Assembly of making biennial appropriations to pay deficits in the operation of the canal. The second provision as adopted in 1870 seems likewise to have been given little practical consideration for nearly forty years after its adoption. In

1909 the Supreme Court, in the case of City of Chicago v. Green, 238 Ill., 258, gave this provision a narrow construction. The court held that the provision forbade even the granting to the City of Chicago of the right to maintain a sewer under the canal, and that the most that could be granted in view of this provision was a license revocable at the will of the State.

The reference draft has enlarged the subject of Canals and Waterways and made of it a separate article containing seven rather long sections. The subject seems thereby to be given a significance out of line with the established constitutional policy of the State and out of proportion with the importance of the subject-matter involved. Moreover, the elaborate and complex wording of the proposal as adopted seems unnecessary to accomplish the intention of the Convention. The proposal therefore has been revised and consolidated into two sections, which include all the ideas of the seven sections of the reference draft. In view of the complete revision made, a detailed explanation of the various changes suggested in the wording of the sections is not practicable.

Section 1. This section has only one purpose, namely, to reaffirm the validity of the bond issue for the Illinois Waterway previously authorized by the General Assembly acting under the Amendment of 1908. As the section is worded, however, it is open to an unfortunate construction; it seems to intimate that this bond issue may be of questionable validity at the present time. This construction is due to the fact that the section purports by its terms to make the bond issue "valid". The only necessity for any such recital as that contained in the section grows out of the other provisions of the article, which contain inclusive limitations affecting all appropriations or bond issues for canals. As the provision has been revised this possible misconstruction has been avoided.

In the Constitutional Amendment of 1908 the term "deep waterway" is used to describe the proposed canal. The General Assembly, by an Act approved June 18, 1915, provided for "the construction of a deep waterway or canal to be known as the Illinois Waterway". This act was repealed by the Act of June 17, 1919, (Hurd's Revised Statutes. Chap. 19, Sections 76 to 104), which is now the law under which the work is being carried on. The first section of that act provides:

> A deep waterway shall be constructed from the water power plant of the Sanitary District of Chicago, at or near Lockport, in the township of Lockport, in the County of Will, to a point in the Illinois River at or near Utica. Such waterway shall be known as "The Illinois Waterway".

By another act, also approved June 17, 1919, (Hurd's Revised Statutes, Chap. 19, Section 105 to 117) the General Assembly provided for the issuing of bonds to pay for the canal. By Section 1 of that act the bonds were to be issued "for the purpose of constructing a deep waterway", the extent of which is described as in the quotation just given; and by Section 2 it is provided that: "Said bonds shall be known as 'Illinois Waterway bonds'". It thus appears that the term "Illinois Waterway" is used in both of the acts of the General Assembly providing for the canal; but it also appears that both of these acts use the term "deep waterway" as well, which, as already noted, is the term used in the

present Constitution. There is no reason why the canal may not be given a special name by statute, but for the purpose of the Constitution it seems best to stick to the already recognized constitutional term "deep waterway". This term has accordingly been used in the provision as revised instead of the term "Illinois Waterway and its appurtenances", which appears in the reference draft.

Section 2. This section of the reference draft purports to do only two things: It permits the General Assembly to provide an additional amount up to ten million dollars for the completion of the deep waterway; but any further sum for any canal or waterway in the State must be approved at a referendum. In the provision as revised these two ideas have been expressed in a simpler and shorter form than in the reference draft, but without change in meaning.

Section 3. This section as revised is intended to reenact the second paragraph of "Separate Section 4" of the present Constitution, permitting the income of a state canal to be used for its maintenance or extension. The Constitution of 1870 made this provision applicable to "any canal, waterway or water power" belonging to the State, while the reference draft limits the application of the section to "the Illinois Waterway and its appurtenances and the Illinois and Michigan Canal". Under present conditions the same result is accomplished by either expression, since the two canals mentioned are in fact the only canals now owned by the State. However, it is possible for the General Assembly under this proposal to provide in the future for other State owned or State operated canals by securing approval from the people at a referendum. If in the future further canals or waterways should be acquired by the State, the provisions of this section should apply to such canals or waterways. Accordingly the words "any canal or waterway" have been restored to the provision as revised.

Section 4. This section also merely reenacts part of "Separate Section 4" of the present Constitution. In other words, this section requires a referendum on the sale or lease of any state canal or waterway except as otherwise provided in the article. The language of the reference draft has been substantially adopted in the provision as revised.

The words "or integral part thereof" have, however, been added after the word "waterway". Under the language of the reference draft the question might arise as to the sale or lease of some incidental property owned by the canal which would produce revenue for the State, but which would not be of sufficient significance to justify a State-wide referendum. Thus there might be certain equipment which was not used because it was obsolete or had become useless for the purpose of the canal. Under the provision of the reference draft no sale or lease of such property could be made without a referendum. There is no reason for making the section applicable to insignificant sales of obsolete property, or even to the sale or lease of incidental lands or property which do not make up an integral part of the canal. The word "integral" is defined by the Century Dictionary as "belonging as a part to the whole, and not a mere appendage to it". The provision as thus revised contains an ample guarantee along the lines intended and yet permits a

certain limited discretion to be exercised in regard to sales or leases of canal property without the expense or delay of a State-wide referendum.

Section 5. This section is really an exception to the previous section, since it permits the General Assembly to lease the Illinois and Michigan Canal or any part of it for the particular purpose mentioned and under the terms described. The section has been incorporated without substantial change in its wording into Section 2 of the proposal as revised.

Section 6. This section contains two provisions: First, it forbids any appropriation for the Illinois and Michigan Canal except from its income; and second, it contains a blanket provision forbidding the State to use its funds or credit in aid of any canal, except as authorized in the article. Both of these provisions have been incorporated without change in meaning into Section 1 of the proposal as revised.

Section 7. This section provides for the revaluation every twenty years of leases made under authority of the article. The language of the reference draft, however, applies to leases for "water power or railway or terminal purposes". This language is much broader than the subject-matter of the article; properly construed it would cover leases of State property for railway purposes or for any terminal purpose which might be entirely disconnected from canals or waterways. It seems clear from the context of this section and the other sections of the article that the provision here in question was intended to be applicable only to leases made by the State in connection with its canals and waterways. Accordingly this section has been consolidated with Section 2 of the proposal as revised, and it has been changed along the lines suggested.

Report No. 14.

YOUR COMMITTEE ON PHRASOLOGY AND STYLE, TO WHICH WAS REFERRED A PROPOSAL IN RELATION TO LAND CREDITS (INTRODUCTION NO. 361, REFERENCE NO. 10) AS AMENDED IN COMMITTEE OF THE WHOLE, RESPECTFULLY REPORTS THAT IT HAS CONSIDERED SUCH PROPOSAL AND HEREWITH SETS FORTH IN PARALLEL COLUMNS SAID PROPOSAL AS ADOPTED IN COMMITTEE OF THE WHOLE ON THE LEFT, AND A SUBSTITUTE THEREFOR AS RECOMMENDED BY THIS COMMITTEE ON THE RIGHT.

RESOLVED, *That the following shall become a part of the Constitution of Illinois:*

Section —. The General Assembly shall have authority to provide for the establishment, maintenance and administration of funds to be loaned upon the security of farm lands of this State, without reference to any limitations elsewhere contained in this Constitution. The State, however, shall not make any appropria-

Section —. The General Assembly may provide for lending money upon farm lands in the State, but the act providing therefor and amendments thereto shall be approved by a majority of those voting on the question at a general election. Such loans shall be secured by mortgages or deeds of trust made by those

tions or become indebted in any manner for the establishment, maintenance and administration of such funds unless the question of making such appropriation or incurring such indebtedness shall be submitted to the voters at a general election and be approved by a majority of those voting on the question. Such farm loans shall be secured by mortgages or deeds of trust and shall be made only to persons who own, occupy and cultivate the lands pledged as security. Reasonable preferences may be provided for honorably discharged persons who have served in the military or naval forces of the United States.

owning, occupying or cultivating the lands pledged. Reasonable preferences concerning loans may be given to persons honorably discharged from the armed forces of the United States.

Respectfully submitted,

ELAM L. CLARKE, *Chairman.*
THOS. RINAKER.
CHARLES B. T. MOORE.
E. H. DUPEE.
H. E. TORRANCE.
GEORGE A. BARR.
EDWARD H. BREWSTER.
Committee on Phrascology and Style.

IN RE PROPOSAL NO. 361.

Memorandum from Committee on Phraseology and Style, Accompanying Report on Proposal No. 361, being a Proposal in Relation to Land Credits.

This proposal would incorporate a new policy into the Constitution of the State. Its purpose is to permit the General Assembly to pass legislation similar to the Federal Farm Loan Act of July 17, 1916.

Since the Federal Act was passed four states have taken some legislative action in the same direction. Oregon adopted an amendment to its Constitution in 1916 (Article XIA, Sections 1-11), and passed a statute (Chap 398, General Laws of Oregon, 1917), carrying the amendment into effect. North Dakota adopted an amendment in 1915. (Constitution, Article IX, Section 158.) Kansas adopted a constitutional amendment in 1920. (Article XV, Section 11.) But neither of these latter states has so far passed the necessary enabling legislation. In South Dakota legislation has been passed (Chap. 333, Laws of 1917) without a constitutional amendment. Forty-three states of the Union have so far taken no action along the lines of this proposal.

There is no doubt that a constitutional amendment is necessary in Illinois if the State is to extend its aid to a program of farm land credits. Article IX, Section 5, of the present Constitution forbids the State from engaging in the banking business in any manner, while Article IV, Section 20, forbids the State to lend its credit to any corporation, association or individual. This proposal therefore becomes in one sense an exception to each of the constitutional provisions just mentioned.

If the provisions of the reference draft are analyzed they will be found to contain the following ideas:

1. The General Assembly is given specific authority to provide for the establishment and maintenance of funds to be used for the purposes described in the proposal.

2. The money is to be loaned upon the security of farm lands in this State.

3. The State cannot appropriate any money or become indebted for this purpose without approval by the people at a referendum.

4. The loans shall be secured by mortgages or deeds of trust.

5. The loans shall be made only to persons who own, occupy or cultivate the lands pledged.

6. Reasonable preference in regard to loans may be given persons honorably discharged from the armed forces of the United States.

The first provision has been somewhat condensed as revised by simply providing that the State may lend money upon farm lands. It is obvious that if the State may lend money it must have the inherent power to provide for the "establishment, maintenance and administration" of the funds loaned. The words quoted have accordingly been dropped.

The second provision has been adopted in practically the same words as the reference draft.

If the third provision is considered it will be apparent from its context, and from the context of the entire proposal, that the referendum intended is on the question of policy involved, namely, whether the State shall embark on a program of farm loans. The language of the reference draft, however, does not accomplish this result, since it provides for a referendum on "appropriations" or "indebtedness"—although these matters chronologically would not come up for consideration until after the question of policy has been decided. Accordingly the provision has been revised to require a referendum on the question of policy here concerned, rather than on the question of financing the program. The latter question is covered elsewhere in the Constitution. The proposed new Constitution, Article IV, Section 18, provides that no debt shall be incurred by the State (with certain exceptions not here concerned) unless the debt has been approved in the State at a referendum. Accordingly it will be necessary, under this proposal as revised, first, to secure a referendum on the question as to whether the State shall engage in the business of farm loans, and second, to secure a referendum on the question of incurring any State debt for this purpose.

Of course it will be possible for the General Assembly to appropriate money without a referendum if no debt is to be incurred—provided the program of farm loans has been approved by the people. But the State can hardly embark on any real scheme in this direction with funds derived solely from appropriations; a bond issue is probably a prerequisite.

The fourth and fifth provisions of the reference draft have been revised in substantially the same form as the reference draft.

The last provision above outlined has also been revised in a form which is obviously the same as that of the reference draft, except for certain minor corrections. The "preferences" should not be general in scope, but should be limited specifically to the purpose of this proposal. Accordingly the words "concerning loans" have been incorporated after the word "preferences." The phrase "armed forces of the United States" has been substituted for the words "military or naval forces of the United States." This change is in line with the consistent phraseology adopted by this Committee in its previous reports.

Report No. 15.

YOUR COMMITTEE ON PHRASOLOGY AND STYLE, TO WHICH WAS REFERRED SECTION 5 AND AMENDED SECTION 8 OF PROPOSAL NO. 374, A PROPOSAL TO PROVIDE FOR HOME RULE FOR MUNICIPALITIES (REFERENCE NO. 13) AS AMENDED IN COMMITTEE OF THE WHOLE, RESPECTFULLY REPORTS THAT IT HAS CONSIDERED SUCH PROPOSAL AND HEREWITH SETS FORTH IN PARALLEL COLUMNS SAID PROPOSAL AS ADOPTED IN COMMITTEE OF THE WHOLE ON THE LEFT, AND A SUBSTITUTE THEREFOR AS RECOMMENDED BY THIS COMMITTEE ON THE RIGHT.

RESOLVED, *That the following shall become a part of the Constitution of Illinois:*

Section 5. No law shall be passed by the General Assembly granting the right to construct or operate any public utility within any city, village or incorporated town requiring the occupation or use of streets, alleys or public ways by permanent fixtures or equipment, without requiring the consent of the corporate authorities.	Section 5. The General Assembly shall not grant the right to occupy the streets or public grounds of any municipal corporation without its consent.
ZONING.	ZONING.
Section 8. In aid of the public health, safety, comfort and welfare, and for the conservation of the taxable value of property throughout the municipality, any city, village or incorporated town may adopt equitable regulations governing the character and intensity of the use of lot areas and limiting buildings and structures of every kind according to their use or construction, or both, to specified districts of such municipality. Authority to adopt such regulations shall be deemed to be in-	Section 8. Reasonable regulations, which have been or may be made by municipal corporations, governing in specified zones the use and appearance of lands and the character, use and appearance of structures, shall be valid.

cluded within the police power and within the powers of local government vested in cities, villages and incorporated towns under this constitution. This provision shall apply to any statute or ordinance heretofore passed whose provisions are within the terms of this section. Nothing in this provision shall be construed to diminish in any way the police power in the full extent in which it would obtain without this provision.

Respectfully submitted,

ELAM L. CLARKE, *Chairman.*
THOS. RINAKER.
CHARLES B. T. MOORE.
E. H. DUPEE.
H. E. TORRANCE.
GEORGE A. BARR.
EDWARD H. BREWSTER.
Committee on Phraseology and Style.

IN RE PROPOSAL NO. 374.

Memorandum from Committee on Phraseology and Style, Accompanying Report on Proposal No. 374, being Two Sections From the Proposal in regard to Home Rule for Municipalities.

Section 5. This section in the form adopted by the Committee of the Whole somewhat resembles Section 4 of Article XI of the present Constitution; but in effect the proposed section is so much wider than the existing provision that it really establishes a new policy in the constitutional law of this State. Two things are significant about the section as adopted in the reference draft:

1. The section is transferred from the article on Corporations to the proposal on "Home Rule for Cities."

2. The application of the section is enlarged from "street railroads" to "any public utility."

The Debates (June 29, 1920, pp. 28-30) show, however, that the intention of the Convention was to make the proposal even broader than is indicated by the reference draft; for it appears that the real intention of the Convention is to make the section applicable to any individual as well as any public utility whenever the streets or public grounds of a municipal corporation are put to a special use. In other words, any corporation or person using the streets or public grounds of a city for a special use which requires a franchise, must get the consent of the municipal corporation, and such consent cannot be granted by the General Assembly.

This policy is in accordance with that adopted in a number of other states and with the advancing tendency toward home rule which has been characteristic of the law in this country during the last decades. Thus, Alabama, California, Colorado, Kentucky, Missouri, North Dakota, South Dakota and Virginia all have constitutional provisions which go much

farther than that found in the present Constitution of this State and are obviously in line with the purpose of the present proposal as indicated by the Debates of this Convention. The most recent constitutional provision is that found in the Constitution of Michigan, adopted in 1908, where the provision is as follows (Article VIII, Section 28):

> "No person, partnership, association or corporation operating a public utility shall have the right to the use of the highways, streets, alleys or other public places of any city, village or township for wires, poles, pipes, tracks or conduits, without the consent of the duly constituted authorities of such city, village or township; nor to transact a local business therein without first obtaining a franchise therefor from such city, village or township. The right of all cities, villages and townships to the reasonable control of their streets, alleys and public places is hereby reserved to such cities, villages and townships."

The provision found in the Constitution of Virginia, adopted in 1902, is as follows (Article VIII, Section 124):

> "No street railway, gas, water, steam, or electric heating, electric light or power, cold storage, compressed air, viaduct, conduit, telephone, or bridge company, nor any corporation, association, person, or partnership, engaged in these or like enterprises, shall be permitted to use the streets, alleys or public grounds of a city or town without the previous consent of the corporate authorities of such city or town."

The provision found in the Constitution of Alabama, adopted in 1901 (Article XII, Section 220), and that found in the Constitution of Colorado, adopted as an amendment in 1902 (Article XX, Section 4), are of like import. The provisions found in Kentucky, Missouri, North Dakota and South Dakota are interesting but are not so recent, and therefore not so comprehensive, and need not be quoted in this memorandum.

It will be noted that all of these provisions give to municipal corporations a large measure of home rule in the matters concerned. The revision of the reference draft here suggested attempts to reach the same result as that secured by the provisions above quoted, but in a more comprehensive and yet simpler form.

Something should perhaps be said about some of the detailed changes suggested by your committee. The words "permanent fixtures and equipment" were discussed at some length in the Debates. (June 29, 1920, page 28.) The words are new in constitutional law and introduce an uncertain element. They do not appear in the Constitution of 1870, nor can any similar language be found in the constitutional provisions of any of the fifteen other states having somewhat similar provisions to the one in question. Your committee feels that the use of these words is unfortunate, since it cannot be said what a "permanent fixture" will be held to include. Does permanent mean five years, ten years, fifty years, or perpetual? Your committee cannot answer these questions, and believes that no answer can be given—except the arbitrary answer which would of course have to be given finally by the court.

Again, what is meant by the words "occupy * * * by * * * equipment?" Of course a street car track and the street cars resting thereon clearly come within the meaning of these words. But what about a bus line regularly running on the same street—does it occupy the street with its equipment? Here also a court some day must give an arbitrary answer to this question. In view of the uncertainty of the meaning of these words, and in view of the further fact that no similar words appear in any other Constitution, so far as your committee has been able to determine, this language has been dropped.

The word "occupy" has given your committee some concern. There is no doubt it was the intention of the Convention to use a word which would be applicable to the space below as well as above the surface of the ground; that is, the limitation should apply to such a structure as telephone wires or poles above the ground, and also to gas mains or conduits below the surface of the street. After full consideration of this point your committee has retained the word "occupy" on the understanding that it covers everything that was intended by the Convention. The Century Dictionary defines "occupy" as "to take possession of and retain or keep; enter upon the possession or use of; hold and use." Under this meaning it seems reasonable to say that not only the surface of a street or other public ground, but also the area either under or over the surface is included. It is in this wide sense that your committee has used the word "occupy."

Your committee has also dropped the words "corporate authorities." These words do not appear in Section 4 of Article XI, from which the idea of this section has (as already stated) been taken. The words there used were "local authorities." In Section 9 of Article IX of the present Constitution the words "corporate authorities" are used in a provision permitting the General Assembly to vest municipalities with power to make local improvements by special assessments. These words as there used gave rise to a large amount of litigation. The words were taken from the Constitution of 1848, and beginning with the case *Harward* v. *St. Clair Drainage Co.,* 51 Ill. 130 (1869), and down to the case of *People* v. *Block,* 276 Ill. 286 (1916), and *People* v. *County of Williamson,* 286 Ill. 44 (1918), these words have given rise to many questions of interpretation which eventually found their way to the Supreme Court. All of these questions are avoided if these words are not used; and yet no one can fairly say that the same guarantee of lawful action on the part of the municipality in question is not secured by the language used in the draft of your committee.

Section 8. In order to understand the purpose and scope of the proposal on zoning it will be helpful to consider in outline the historical development of the subject and the experience of other jurisdictions in dealing with it.

The last two decades have seen widespread interest developed in the matters of city planning and zoning. The well known Chicago Plan Commission need only be mentioned in this connection. Other large cities, including New York, St. Louis, Milwaukee and Cleveland, have

adopted more or less systematic schemes for city planning. (Debates, June 24, 1920, p. 56.) This interest in the subject has resulted in legislation in a number of states. The two states having the two largest cities of the country have passed rather elaborate zoning acts within the last few years; New York in 1916, and Illinois in 1919. Massachusetts was the first state (and so far is the only one) to adopt constitutional provisions on the subject, which it did by amendment in 1918. The Illinois Act is in many respects more far reaching and more advanced than any other legislation so far adopted; it probably represents the best and latest thought on the subject from the legal as well as the civic and architectural point of view. That act authorizes cities to exercise wide powers of control over land and buildings and to regulate them in the following respects:

1. To limit the height of buildings.
2. To limit the "bulk" of buildings.
3. To limit the lot area which may be built upon.
4. To fix the area of yards and open spaces.
5. To restrict the location of trades and industries to particular districts.
6. To exclude certain trades or industries from prescribed districts.

There has been so far no real test of the constitutionality of such zoning statutes as those passed in New York and Illinois. The Debates of the Convention, however, indicate that some doubt has arisen as to the power of the General Assembly in this State to pass wide and inclusive legislation on this subject; and that a constitutional provision is considered necessary. (Debates, June 24, 1920, p. 56.) It also appears from the discussion in the Convention that four or five cities in Illinois have already proceeded under the act of 1919 and have exercised certain powers granted by it. The provision as adopted therefore is made retroactive for the purpose of validating whatever has already been done by cities operating under the present Zoning Act; but the retroactive effect of the provision is intended to be limited to the purpose just mentioned.

There is no doubt about the trend of decisions in this and other states on this general subject; it has been toward the widening of legislative powers in the matter of regulating land and buildings in cities. California has developed the matter of regulating industries and excluding them from residential districts further than most other states. The case of *ex parte Hadacheck,* 165 California, 416, affirmed in 239 U. S. 394, establishes the advanced position of that state in this regard. Illinois has taken the lead in the matter of billboard regulations under present constitutional provisions, and the case of *Cusack* v. *Chicago,* 267 Ill. 344 (1915), is the leading case on the subject and establishes the doctrine of liberal powers of control over billboards in this State. Recent years have witnessed a fairly large amount of litigation involving this entire subject, and there are many important cases which might be discussed but can only be referred to in this memorandum. See for a general discussion of the subject, 2 Ill. Law Bulletin, 497, and cases there cited; see also cases cited in Illinois Constitutional Convention

Bulletin, pp. 485, 486; see in particular as to regulation of billboards, Massachusetts Constitutional Convention Reports, Vol. 2, p. 379, Bulletin 31. (See also the following discussions and cases there cited: 29 Harvard Law Review, 860, Aesthetics and the Fourteenth Amendment; 20 Harvard Law Review 35, Public Aesthetics; 11 Ill. Law Review 29, Present Legal Aspect of the Billboard Problem; 53 National Corporation Reporter 473, Advertising and the Police Power; 20 Columbia Law Review, 591, Condemnation of Property for the Public Welfare; 20 Columbia Law Review 219, Note; Dillon, Municipal Corporations, Vol. 2, Sec. 695, Aesthetic Considerations.) These cases and discussions show how far the state courts have progressed in recent years in their attitude toward this general subject.

It must be borne in mind that any state constitutional provision, as well as any statute of a state, must finally run the gauntlet of the "due process" clause of the Federal Constitution. But that statement is more academic than real, because of the fact that state constitutional provisions as to "due process" have always been given a much narrower construction by state courts than the same provision in the Federal Constitution has received from the Federal Courts. The Supreme Court of the United States is far in advance of any state court in its definition of "police power" and in its interpretation of what that term includes. The oft quoted words of Justice Holmes, in the case of *Noble State Bank* v. *Haskell,* 219 U. S. 104 (1910), may be cited as proof. He said (p. 111):

> "It may be said in a general way that the police power extends to all the great public needs. *Canfield* v. *United States,* 167 U. S. 518. It may be put forth in aid of what is sanctioned by usage, or held by the prevailing morality or strong and preponderant opinion to be greatly and immediately necessary to the public welfare."

The same court, in *C. B. & Q. R. R.* v. *Drainage Commissioners,* 200 U. S. 561 (1906), had previously said much the same thing:

> "We hold that the police power of a state embraces regulations designed to promote the public convenience or the general prosperity, as well as regulations designed to promote the public health, the public morals or the public safety."

No state court has gone to anything like the same length as the United States Supreme Court in advancing the powers of regulation included within the term "police power." It follows therefore that in spite of the tendency of state courts to give a wider and wider construction to existing constitutional limitations affecting these matters, there is a real necessity for amending present state constitutions before the legislatures—and through them the cities—will have ample power in regard to city planning and zoning. In other words, it is only by amendment that state constitutions as construed by state courts can be made as wide and comprehensive as the Federal Constitution. Such is the conclusion reached in Massachusetts, where the Constitution has already been amended; such is the conclusion reached in Pennsylvania, where a

constitutional provision is proposed; and such is the necessary conclusion to be drawn from the action of the present Convention.

In order to assist in understanding the proposal adopted by this Convention, there are given below the constitutional amendments adopted in Massachusetts, and also the provision proposed by the recent commission appointed to revise the Constitution of Pennsylvania. The first amendment adopted in Massachusetts in 1918 is as follows:

> "Article 71. The General Court shall have power to limit buildings according to their use or construction to specified districts of cities and towns."

It should be noted that this provision is short and concise, its obvious purpose being merely to untie the hands of the General Court. In comparison with this provision the proposal as adopted in the reference draft is cumbersome and unwieldy.

At the same time Massachusetts adopted another amendment, which by a proper wording might have been included within Article 71. This amendment affects only billboards, etc., and is as follows:

> "Article 72. Advertising on public ways, in public places and on private property within public view may be regulated and restricted by law."

Here again it will be noted that the provision is short and inclusive and merely removes existing constitutional limitations on the legislature. The provision is important because it is a definite grant of power to regulate land and buildings for purely "aesthetic" reasons.

Massachusetts has adopted a further amendment in this connection, which goes definitely outside the recognized domain of "police power" as previously understood—that is, quite beyond matters concerned with public health, morals, comfort or safety. The provision concerns itself with matters of "historical or antiquarian interest" where the public is concerned. The provision is as follows:

> "Article 73. The preservation and maintenance of ancient landmarks and other property of historical or antiquarian interest is a public use, and the commonwealth and the cities and towns therein may, upon payment of just compensation, take such property or any interest therein under such regulations as the General Court may prescribe."

It will thus be noted that Massachusetts has an amendment concerning itself with purely "aesthetic" matters, and still another amendment concerning itself with matters even more remote from the domain of "police power" as that subject has been construed in the past. It is obvious therefore that Massachusetts has taken an advanced position in its Constitution in the matters here concerned.

The only other state which so far has considered the matter of zoning and city planning from the point of view of its Constitution is Pennsylvania. The proposed new Constitution for that state, submitted to the General Assembly in January of this year (1921), contains a provision as follows:

> "Article XIII, Section 24. Zoning of Municipalities. Municipalities may be authorized by law to promote the general welfare by

regulating the location, size and use of buildings. For the purpose of such regulations, a municipality may divide its territory into districts, to each of which special regulations may be applied."

Here again it will be noted that the provision is short and concise compared to the proposal of the reference draft. The Pennsylvania provision, like those adopted in Massachusetts, merely removes the limitations which now hamper the legislature; while the reference draft attempts to go into detail and specify the reasons for the provision, as well as the extent to which it may be applied.

It should be noted on the other hand, that in one respect the provision as adopted in the reference draft is in advance of the Massachusetts Constitution or the proposed provision in Pennsylvania. In the two latter states the power is delegated to the General Assembly, which in turn may grant it in either full or restricted form to cities; while in Illinois the proposal would grant full power of control direct to cities without the intermediation of the General Assembly.

In conclusion it may be said that the revision of the reference draft here suggested contains all of the ideas which are necessary to be expressed in the Constitution. As revised the provision has been much reduced in length and has been brought in line with the theory adopted in the provisions found in the Constitution of Massachusetts and recently proposed in Pennsylvania. That is, the provision merely removes existing constitutional limitations and wipes out existing decisions of the courts. For it should be repeated that it is only because of these two restrictions that any constitutional provision is necessary.

Report No. 16.

YOUR COMMITTEE ON PHRASEOLOGY AND STYLE, TO WHICH WAS REFERRED A PROPOSAL ENTITLED CHICAGO AND COOK COUNTY (INTRODUCTION NO. 385, REFERENCE NO. 17), AS AMENDED IN COMMITTEE OF THE WHOLE, RESPECTFULLY REPORTS THAT IT HAS CONSIDERED SUCH PROPOSAL AND HEREWITH SETS FORTH IN PARALLEL COLUMNS ARTICLE II OF SAID PROPOSAL AS ADOPTED IN COMMITTEE OF THE WHOLE ON THE LEFT, AND A SUBSTITUTE THEREFOR AS RECOMMENDED BY THIS COMMITTEE ON THE RIGHT.

RESOLVED, *That the following shall become a part of the Constitution of Illinois:*

ARTICLE II.

COUNTY OF COOK.

Section 1. The county affairs of Cook County shall be managed by a board of commissioners of fifteen persons, ten of whom shall be elected from the city of Chicago, and five from towns outside of said city.	Section 1. The county business of the County of Cook shall be transacted by a board of fifteen commissioners, ten of whom shall be elected from the city of Chicago, and five from the rest of the county.

Section 2. There shall be elected in Cook County the following county officers at the general election to be held on the Tuesday after the first Monday of November, 1922, and each four years thereafter, a county clerk, a county treasurer, a sheriff, and at the general election to be held on the Tuesday after the first Monday of November, 1924, and each four years thereafter, a coroner, a clerk of the circuit court and a recorder of deeds. Each of said officers shall enter upon the duties of his office respectively on the first Monday of December after his election, and they shall hold their respective offices for the term of four years and until their successors are elected and have qualified, provided that no person having once been elected to the office of treasurer shall be eligible to re-election to said office for four years after the expiration of the term for which he shall have been elected.

Section 2. In the County of Cook there shall be elected in 1922, a sheriff, a county clerk, and a treasurer who shall be ex-officio collector of taxes; and in 1924 a coroner and a recorder of deeds. The term of every such officer shall be four years from the first Monday of December after his election. No elected treasurer shall succeed himself.

Section 3. The clerks of all courts of record, the treasurer, sheriff, coroner and recorder of deeds of Cook County shall receive as their only compensation for their services, salaries to be fixed by law which shall in no case be as much as the lawful compensation of a judge of the circuit court of said county. The number of deputies and assistants of such officers shall be determined by rule of the circuit court to be entered of record and their compensation shall be determined by the county board.

Section 3. The officers named in the preceding section and the clerks of all courts of record in the county shall each receive, as his sole compensation, a salary to be fixed by law. Such salary shall be less than the compensation of a judge of the circuit court of the county. The circuit court, by rule entered of record, shall determine the number, and the county board shall determine the compensation, of deputies and assistants of all such officers.

Section 4. The General Assembly shall by law provide for and regulate the fees of all county officers of Cook County. All fees, allowances and emoluments and all interest on public funds shall be paid into the county treasury at least monthly. The compensation of any elective county officer shall not be increased or diminished during his term of office.

Section 4. The fees of all officers of the county shall be regulated by law. Each officer shall make a semi-annual report under oath, of all money and interest thereon received by him, and every month shall pay such money and interest into the county treasury.

Section 5. Every county officer of Cook County shall make reports under oath at least semi-annually of all fees, allowances, emoluments and all interest on public funds received by him, as may be required by law.

(Combined with Section 4.)

Section 6. Except as otherwise provided in this article, the County of Cook shall not be divided nor any territory be added to it, nor any territory taken from it, unless such question shall be submitted to a vote of the people of the county and a majority of the electors of the county voting on the question shall vote for the same. No territory shall be taken from the County of Cook unless a majority of the electors of such territory voting on the question shall vote for the same. Any territory taken from the county shall be holden for and obliged to pay its proportion of the indebtedness of the county.

Section 5. The county shall not be changed in area unless the change is approved by a majority of those voting on the question in the county and in each part affected. Any territory taken from the county shall be liable for its proportion of the county debt.

Section 7. The General Assembly, notwithstanding sections one, two, and three of this article, may enact laws for the organization and conduct of the government of the County of Cook, which shall become effective when submitted to the electors thereof and approved by a majority of those voting thereon.

Section 6. The organization and government of the county prescribed by this article shall not be changed by law unless the change is approved by a majority of the voters of the county voting on the question.

Section 8. The General Assembly may enact any law or laws to provide for consolidating and vesting, in whole or in part, in the municipal government of the city of Chicago the powers now or hereafter vested in the County of Cook and the officers thereof and exercised within the territory now or hereafter embraced within the limits of the city. And such law may provide for the exercise in such other manner as the General Assembly may prescribe of any such powers of the county and of its officers not so vested in the city and may abolish the County of Cook within the present or future limits of the city. Any such law shall provide for apportioning or otherwise adjusting the rights, powers, debts and liabilities of the county and may provide for their transfer to and assumption by said city, in whole or in part.

Any such law may also provide that, in the event of such consolidation becoming effective, the powers or any of them, now or hereafter vested in the County of Cook and the officers thereof and exercised within the territory lying beyond the present or future limits of said city, shall be exercised in such man-

Section 7. The General Assembly may consolidate with the City of Chicago the portion of the County of Cook lying within the city. Any such laws shall adjust the powers, offices, rights and liabilities of the county (both in the portion within the city and in the portion outside the city) and may either devolve them in whole or part upon the city, or provide otherwise for their exercise and assumption. Whenever the entire powers of any office are taken away, the office shall be abolished.

No such law shall take effect until approved, both in the City of Chicago and in the portion of the county lying outside the city, by a majority of those voting on the question.

ner and by such county or other officers as the General Assembly shall prescribe. Whenever the exercise of the powers of any county officer shall be otherwise disposed of the office shall be abolished.

No law based upon this section shall become effective until submitted to the legal voters of the city of Chicago and also to the legal voters of the territory of the county lying beyond the limits of said city and is approved in each case by a majority of those voting upon the question.

After any such consolidation becomes effective, any law enacted thereafter affecting only the city of Chicago, or only the territory lying beyond the limits of said city, may become effective if submitted only to the legal voters of said city or to the legal voters of said territory and approved in either case by a majority of those voting upon the question.

Respectfully submitted,

ELAM L. CLARKE, *Chairman.*
THOS. RINAKER.
CHARLES B. T. MOORE.
E. H. DUPEE.
H. E. TORRANCE.
GEORGE A. BARR.
EDWARD H. BREWSTER.
Committee on Phraseology and Style.

IN RE PROPOSAL NO. 385.

Memorandum from Committee on Phraseology and Style, Accompanying Report on Proposal No. 385, being a Proposal entitled, Chicago and Cook County.

ARTICLE II.

COUNTY OF COOK.

Section 1. This section in the reference draft is taken without change from Section 7, Article X, of the present constitution; except that the phrase "in such manner as may be provided by law," which appears at the end of the section in the present constitution, has been dropped by this Convention.

In the section as revised the words "county affairs" have been changed to "county business", because the latter phrase is used in Section 6 of the Article on Counties of the present Constitution, and in Section 5 of the proposal on Counties adopted by this Convention. The verb "managed", where it appears in the reference draft, has been changed to "transacted" for the same reasons. It is obvious that con-

sistent language should be used in speaking of counties, whether the provision has to do with the County of Cook or is found in the Article on Counties.

The last phrase of the section has been somewhat revised to avoid the use of the words "said city".

No other changes have been made in the section as it appears in the reference draft.

Section 2. This section has no corresponding section in the present Constitution; it is a duplication of Section 8, Article X, but is made applicable only to the County of Cook.

The section has been revised to conform to the language used in the revision of Section 6 of the proposal on Counties. The discussion there given explains in detail the reasons for the changes made in the language of the reference draft. It is probable that on the second reference to this Committee this section will be consolidated with Section 6 of the proposal on Counties, since the two provisions overlap.

Section 3. This section also is a new one, there being no similar provision in the present Constitution. If the section is analyzed it will be found to contain the following ideas:

1. The clerks of courts of record and the other county officers shall be paid salaries.
2. The salaries shall be fixed by law.
3. The salaries shall be less than the compensation of a judge of the Circuit Court of the County.
4. The Circuit Court of the County shall determine the number of deputies and assistants of these officers.
5. The court shall enter a rule of record concerning its finding in regard to the last provision.
6. The compensation of such deputies and assistants shall be fixed by the county board.

In the section as revised the sentence structure has been somewhat rearranged for purposes of clarity. But otherwise the reference draft remains unchanged.

Sections 4 and 5. These two sections also are new, there being no corresponding sections in the present Constitution.

The last sentence of Section 4 has been dropped because it is covered by a general provision applicable to all officers in this State, which is to be incorporated in some other part of the Constitution, preferably in an article on "Officers". (See Judiciary Proposal, Section 52.)

The rest of Section 4 and Section 5 is concerned with the subject of fees collected by the county officers in Cook County. The two sections contain three ideas:

1. The fees collected by these officers shall be regulated by law.
2. Such fees shall be paid monthly into the county treasury.
3. Each officer shall make a semi-annual report under oath as to the fees received by him.

The first provision has been incorporated into the first sentence of Section 4 as revised. The second and third provisions above outlined have been incorporated into the second sentence of Section 4 as revised, since these two ideas can logically be expressed in a single sentence.

The section as revised will be found to contain all of the ideas expressed in the reference draft, with the exception of the provision that has been dropped, as explained above.

Section 6. This section is also new, since there is no similar section in the present Constitution.

The language of the section has been revised to correspond with the language used in Section 2 of the proposal on Counties as revised. The discussion there given will explain the detailed changes in language which are made in the section here under discussion.

This section, like Section 2 above, will no doubt be consolidated with the corresponding section in the proposal on Counties upon the second reference to this Committee.

Section 7. This section is also a new one, there being no similar provision in the present Constitution.

The section corresponds to Section 8 of the proposal on Counties. The language of the section as revised has been made consistent with the language of the section in the Counties proposal. The discussion there given will explain in detail the reasons for the detailed changes made in the language of the section here under discussion.

Section 8. This section is a new one, and it has been made necessary by the provisions incorporated in Article I of the proposal on Chicago and Cook County, having to do with the consolidation of local governments.

The section has been revised in less than one-half the number of words of the reference draft, but without change in meaning.

It is obvious that considerable overlapping occurs in the language of this article and the language of the proposal on Counties. Your Committee has accordingly reserved final consideration of the language used in this report until the various articles of the Constitution are referred to this Committee on second reference.

Report No. 17.

YOUR COMMITTEE ON PHRASEOLOGY AND STYLE, TO WHICH WAS REFERRED A PROPOSAL RELATIVE TO COUNTIES (INTRODUCTION NO. 362, REFERENCE NO. 7) AS AMENDED IN COMMITTEE OF THE WHOLE, RESPECTFULLY REPORTS THAT IT HAS CONSIDERED SUCH PROPOSAL AND HEREWITH SETS FORTH IN PARALLEL COLUMNS SAID PROPOSAL AS ADOPTED IN COMMITTEE OF THE WHOLE ON THE LEFT, AND A SUBSTITUTE THEREFOR AS RECOMMENDED BY THIS COMMITTEE ON THE RIGHT.

RESOLVED, *That the following shall become a part of the Constitution of Illinois:*

Section 1. No new county shall be formed or established by the General Assembly, which will reduce the county or counties, or either of them,

Section 8. No county shall be so created or reduced as to contain less than four hundred square miles, nor shall any part of a county within

from which it shall be taken, to less contents than four hundred square miles; nor shall any county be formed of less contents; nor shall any line thereof pass within less than ten miles of any county seat of the county or counties proposed to be divided.

ten miles of its seat be taken for a new county.

Section 2. No county shall be divided nor any territory be added to, or taken from any county, unless such question shall be submitted to a vote of the people of each county affected and a majority of the electors of each county affected voting on the question shall vote for the same.

No territory shall be taken from any county, unless a majority of the electors of such territory, voting on the question shall vote for the same.

The territory taken from a county shall be holden for and obliged to pay its proportion of the indebtedness of the county from which it has been taken.

Section 9. No county shall be changed in area unless the change is approved by a majority of those voting on the question in the county and each part affected. Any territory taken from a county shall be liable for its proportion of the debt of such county.

Section 3. No county seat shall be removed until the point to which it is proposed to be removed shall be fixed in pursuance of law, and three-fourths of the voters of the county, voting on such question, shall have voted in favor of its removal to such point; and no person shall vote on such question who has not resided in the county six months, and in the election precinct ninety days next preceding such election. The question of the removal of a county seat shall not be submitted oftener than once in ten years, to a vote of the people.

Section 10. No county seat shall be removed unless three-fourths of those voting on the question shall approve the removal to the place designated and no person shall vote unless he has resided in the election precinct ninety days and in the county six months next preceding the election. Such question shall not be submitted oftener than once in ten years.

Section 4. Any county now or hereafter organized under a Board of Commissioners may organize under township organization whenever a majority of votes cast upon such question in such county shall so determine; and any county now or hereafter organized under township organization may organize under a board of commissioners whenever a majority of all the votes cast upon such question in such counties shall so determine and the election upon such questions shall be submitted to a vote of the electors of any county at a general election in the manner provided by law; and

Section 7. No county may abandon or adopt any form of organization unless a majority of those voting on the question shall approve the change.

the affairs of counties shall be transacted under the respective organizations as the General Assembly may provide.

Section 5. There shall be elected at the general election on the Tuesday after the first Monday in November, 1922, and every four years thereafter in each of the counties in this State, not under township organization, three officers who shall be styled "The Board of County Commissioners", who shall hold sessions for the transaction of county business as shall be provided by law. The term of every such officer elected prior to the year 1922, shall expire on the first Monday of December, 1922.

Section 2. Counties not under township organization shall elect, in 1922, three commissioners who shall transact the county business as provided by law.

Section 6. In each county there shall be elected the following county officers, at the general election to be held on the Tuesday after the first Monday in November, 1922, and every four years thereafter, a county clerk, who shall also be clerk of the county court; a county treasurer who shall be ex-officio collector of taxes, and a sheriff; and at the general election to be held on the Tuesday after the first Monday in November, 1924, and every four years thereafter, a coroner, a clerk of the circuit court, who shall be ex-officio recorder of deeds in counties having less than 60,000 inhabitants, and a recorder of deeds in counties having 60,000 and more inhabitants. There shall also be a county assessor, who shall be selected as the General Assembly may direct. Provided, that no person having once been elected to the office of treasurer shall be eligible to said office for four years after the expiration of the term for which he shall have been elected.

Section 1. In each county there shall be elected in 1922, a sheriff, a county clerk who shall be clerk of the county court, and a treasurer who shall be ex-officio collector of taxes; and in 1924, a coroner, and a clerk of the circuit court who shall be ex-officio recorder of deeds, except in counties of sixty thousand or more population, where a recorder of deeds shall be elected. In each county there shall be an assessor, to be selected as the General Assembly may provide. No elected treasurer shall succeed himself.

Section 7. The county board of and for each county shall fix the compensation of all county officers named in this article and all statutory county officers, the number and compensation of their deputies and assistants, and the same shall be paid by the county treasurer upon the warrant or order of the County Board.

Section 3. The County Board shall fix the compensation of all officers named in this article and of all statutory county officers, and the number and compensation of their employes. The County Treasurer shall pay such compensation upon the order of the County Board.

Section 8. The General Assembly notwithstanding the provisions of Sections 4 to 7 both inclusive of

Section 6. The organization and government of counties as required by this article may be changed by

this article, may enact laws uniform as to classes of counties for the organization and government of counties, which shall become effective in any county when submitted to the electors thereof and approved by a majority of those voting thereon, and, whenever so approved shall supersede the organization and government and offices previously existing therein, and the affairs of such county shall thereafter be transacted in such manner as the General Assembly may provide.

law uniform as to classes of counties; but any such law shall become effective in a county only after approval by a majority of the voters therein voting on the question.

Section 9. The General Assembly shall, by general and uniform law, provide for and regulate the fees of all county and township officers. All fees, allowances and emoluments, and all interest on public funds, received by any county officer shall be paid into the county treasury.

Section 4. The fees of township and county officers shall be regulated by law; and, in such manner as may be provided by law, all money and interest thereon received by any county officer shall be reported under oath and paid into the county treasury.

Section 10. All elective county officers shall enter upon the duties of their offices on the first Monday of December following their election and shall hold their offices for the term of four years and until their successors are elected and have qualified. The compensation of any elective county officer shall not be increased or diminished during his term of office.

Section 5. The term of every elective county officer shall be four years from the first Monday of December after his election.

Section 11. Every county and township officer shall make a semi-annual report under oath of all fees, allowances and emoluments and all interest on public funds received by him, as may be required by law.

(Combined with Section 4.)

Section 12. County authorities shall never assess taxes the aggregate of which shall exceed seventy-five cents per one hundred dollars valuation, unless authorized by a vote of the people of the county, but if the General Assembly shall provide that the county shall be unit for the levy and collection of taxes for road and bridge purposes, then county authorities may assess an additional tax for the construction, improvement and maintenance of public highways and bridges, which additional tax shall not exceed seventy-five cents per one hundred dollars valuation, unless authorized by a vote of the people of the county.

Section 11. Unless authorized by a majority of those voting on the question no county shall levy taxes in excess of three-fourths of one per cent of valuation; but an additional three-fourths of one per cent may be levied for road and bridge taxes in any county made the unit for such taxation.

Section 13. The General Assembly shall have authority to enact laws providing for the construction and improvement of public roads and highways in part by special assessments, to be levied upon the property benefitted by such construction and improvement, whether such construction and improvement lie within one township or county, or two or more townships or counties. Provided, that such laws shall contain provisions that all such construction and improvements shall be initiated by a petition signed by a majority of the owners of the lands proposed to be subjected to such special assessment, who shall be the owners of not less than one-third in area of the said lands.

Section 12. The General Assembly may provide that upon petition of a majority of the owners of lands proposed to be assessed, being not less than one-third in area of such lands, the cost of constructing or improving public roads may be raised in part by special assessment upon lands benefitted thereby.

Section 14. The provisions of this article shall not apply to the County of Cook.

Section 13. The provisions of this article shall not apply to the County of Cook.

Respectfully submitted,

ELAM L. CLARKE, *Chairman.*
THOS. RINAKER.
CHARLES B. T. MOORE.
E. H. DUPEE.
H. E. TORRANCE.
GEORGE A. BARR.
EDWARD H. BREWSTER.
Committee on Phraseology and Style.

IN RE PROPOSAL NO. 362.

Memorandum from Committee on Phraseology and Style, Accompanying Report on Proposal No. 362, being a Proposal Relative to Counties.

The Constitution of 1870 contains one of the most detailed provisions on county government to be found in any state constitution. In about one-third of the states the organization of county government is left entirely, or almost entirely, to the state legislature. In those states which have constitutional provisions on the subject the provisions are in general simple and without detail, compared to the provisions in Illinois. The present Convention has changed the Counties Article of the present Constitution in some respects; but the theory of laying down rather detailed and minute specifications regarding Counties is retained.

The order of the sections in the reference draft is illogical. It follows the arrangement found in the present Constitution, which in turn followed in a large measure the arrangement of the sections in the Constitution of 1848. In the article as revised the order of the sections has been rearranged in more logical form.

Section 1. This section contains two main provisions:

1. It establishes a minimum area of four hundred square miles for any new county or for any old county which may be reduced in area.

2. It provides that no part of a county within ten miles of its seat shall be taken in creating a new county.

The section has been shortened and condensed in such a way as to express these two provisions in a simple and concise form.

The word "created" had been substituted as the equivalent of "formed or established".

The phrase "by the General Assembly" has been omitted, since the General Assembly has authority to establish counties and regulate their affairs, except in so far as the Constitution contains limitations upon that power.

Section 2. This section contains three main ideas:

1. No county shall be changed in area unless the provision is approved at a referendum.

2. The proposition must be approved by a majority of those voting on the question in the county and in each part of the county affected.

3. Any territory taken from a county shall bear its portion of the county debt.

The first two of these provisions have been revised in a single sentence in a form which incorporates all the ideas of the reference draft without change.

The last paragraph of the section in the reference draft has been revised and condensed but without change in meaning. The words "shall be holden for and obliged to pay" have been expressed by "shall be liable". The word "holden" is archaic and is no longer in good use. (See Century Dictionary; also Webster's International Dictionary.)

Section 3. This section lays down certain limitations for changing county seats:

1. There must be a referendum on the question in the county.

2. Three-fourths of all those voting on the question must approve.

3. The place of removal must be designated in advance of the election.

4. Every person voting must have resided in the election precinct ninety days and in the county six months before the election.

5. The question of removal shall not be submitted oftener than once in ten years.

In the section as revised each of these provisions has been expressed in a simpler and shorter form than that of the reference draft.

It is to be observed that the section contains qualifications for voting different from those fixed by the Suffrage Article. The additional qualifications for voting were provided because of the importance of the election to the county and to put an end to the practice which had grown up of "colonizing" voters to control such elections.

The clause "until the point to which it is proposed to be removed shall be fixed in pursuance of law" has been omitted. The section as revised provides that the removal shall be "to the place designated".

The word "designated" implies a previous determination of the place, and this determination must be made by the General Assembly, since that body has full power to pass any enabling legislation which may be necessary. Under the section as revised, therefore, the place of removal must be designated by law previous to the election.

The phrase "of the voters of the county" has been dropped, since the election is exclusively a county matter and it is obvious that only voters of the county could vote upon the question.

In the last sentence the phrase "of the removal of the county seat" has been omitted; the words "such question" make the meaning entirely clear without the phrase quoted.

The phrase "to a vote of the people" has been dropped because the verb "submitted", taken in its context, necessarily implies a vote of the people.

Section 4. This section provides a scheme whereby counties may change from one to another of the two forms of county government authorized by the Constitution. The section contains the following provisions:

1. Counties organized under the "Board of Commissioners" form may change to the township form of county organization.
2. Counties organized under the township form may change to the "Board of Commissioners" form of county organization.
3. Either change must be approved upon referendum by a majority of those voting on the question.
4. The election upon the question shall be conducted in the manner provided by law.
5. The General Assembly may regulate the manner in which either form of county government shall function.

An examination of these five provisions shows that the section really contains but one limitation on the General Assembly, namely, that if the form of the organization of county government is changed, the change must be approved by a majority of the voters of the county voting on the question. In other words, it is obvious that the first and second provisions as above outlined, and the fourth and fifth provisions, really contain no limitations on the General Assembly and may be dropped; the General Assembly may regulate these matters if the Constitution is silent in regard to them. The section has been revised upon the theory, which is applicable throughout the Constitution, that the General Assembly is omnipotent except in so far as the Constitution limits its power. In the shorter form of the section as revised there will be found the full sense of the reference draft without change.

Section 5. This section provides a precise form of organization for counties "not under township organization". At the present time, of the 102 counties in Illinois, 85 are organized under the township system and 17 under the "Board of Commissioners" system. The counties not under township organization are located in the central and southern part of the State, and most of them are small in area and population. Morgan County, which had 34,000 population in 1910, is the largest of these counties.

It will be noted that there is no corresponding section in the Constitution providing for the organization of counties under township organization. In other words, the General Assembly may organize the government of 85 counties of the State as it sees fit; but the Constitution has prescribed a specific form of organization for the 17 counties "not under township organization". The question naturally arises as to why this distinction should be made. The only answer that can be given is that the distinction is a purely arbitrary one; the Convention of 1870 so decided the matter and there it rests.

The obvious comment to be made is that the Constitution, in order to be logical, should either contain a provision regulating the organization of both classes of counties, or should leave the organization of both classes of counties to the General Assembly. Your Committee believes that the latter plan is preferable and that this section could be very properly omitted from the Constitution.

The section provides for the election of three commissioners at the general election in 1922. The present Constitution provides for the election of one commissioner every year. The latter provision, however, sometimes requires an election in a county for the sole purpose of electing a county commissioner. Accordingly it was provided that all three commissioners should be elected at the same time. This provision necessitated the last sentence of the section providing for the expiration of the terms of the existing commissioners. The provision, being a temporary one, should be placed in the Schedule, and has been omitted from the section as revised.

It is unnecessary to state the month in which the election should be held, since that matter is taken care of by the Suffrage Article.

The term of office of commissioners has been omitted, because that provision is covered in Section 10 as revised, where a uniform term for all elective county officers is provided.

Section 6. This section enumerates the various elective county officers and fixes the time for their election. The section is substantially the same as in the present Constitution, except that it creates a new constitutional county officer, namely, the County Assessor. At the present time the County Treasurer acts as County Assessor in counties under the "Board of Commissioners" form of government: while in counties under the township form of government each township has an elective assessor. The assessor has been made a county officer by this section, and accordingly hereafter the township unit of assessment will be abolished. The provision leaves the manner of selecting the County Assessor to the General Assembly.

It should also be noted that under this section the re-election of sheriffs is not prohibited. In the 17 counties under "Board of Commissioners" form of government the sheriff is ex-officio treasurer. Under the proposed section there will be an elective treasurer in each county, and the provision with reference to re-election of the sheriff, which is found in the present Constitution, has therefore been dropped by the reference draft.

The term of office of county officers as provided in this section has been omitted, since that matter is covered by Section 10 as revised. The

word "inhabitants" has been changed to "population", since the latter word is the uniform term applied throughout the Constitution.

Section 7. This section has been revised without changing materially the form of the reference draft. The section contains two main provisions; the first having to do with the fixing of the compensation of county officers and their employes, and the second having to do with the payment of such compensation. These two provisions have been put into separate sentences in the section as revised, for purposes of clarity.

The word "employe" has been substituted for "deputies and assistants", since it is more inclusive than both of these words. All persons working for the County on a salary or for wages, excepting "officers", are included in the term "employes". (See Century Dictionary; also Webster's International Dictionary). Moreover, under Section 24 of Article V of the present Constitution, the words "office" and "employment" are defined, and by implication the two words are made all-inclusive.

The word "order" has been substituted for the words "warrant or order", because it is the wider term. (See Century Dictionary.)

Section 8. This section is new and has no counterpart in the present Constitution. The purpose of the section is to permit the General Assembly to provide other forms of county government than the two provided by this Article, if that becomes advisable in the future. The section contains three main ideas:

1. It contains a grant of power to the General Assembly to authorize other forms of government for counties besides the township form and the "Board of Commissioners" form.
2. The legislation providing for the new form of government for counties must be uniform as to classes of counties.
3. The law shall not become effective in any county unless approved at a referendum by a majority of those voting on the question.

These three provisions as thus outlined have been expressed in the section as revised in a shorter and simpler form than that of the reference draft, but without change in meaning.

The last part of the reference draft, providing that after the approval by the voters the business of the county shall be "transacted in such manner as the General Assembly may provide", is unnecessary. After the law is approved in any county, the law will go into effect automatically.

Sections 9 and 11. These two sections have been combined since they are concerned with the matter of fees collected by county and township officers. The two sections contain the following provisions:

1. The fees of township and county officers shall be regulated by law.
2. All public moneys received by such officers shall be paid into the county treasury.
3. All public moneys received by such officers shall be reported under oath.

The words "general and uniform" have been omitted from the section as revised, since under Section 22 of the Legislative Article no local or special law can be passed affecting township or county government or affecting the fees or allowances of public officers. It is therefore unnecessary to duplicate that provision in this section.

The words "fees, allowances and emoluments" used in both Sections 9 and 11 may be expressed by the words "public moneys". That term is a general and inclusive one, and is to be preferred to particular terms like those used in the reference draft.

The reasons for consolidating these two sections are obvious.

Section 10. This section contains three main provisions:

1. It determines when elective county officers shall go into office.
2. It provides a uniform term of four years for all such officers.
3. It provides that the compensation of such officers shall not be increased or diminished during their terms.

The last sentence of the reference draft, which expresses the third provision as above outlined, has been dropped because it is covered by a section applicable to all officers in the State, which has been suggested by this Committee as a section in a new article on "Officers".

The first and second provisions as above outlined have been expressed in the section as revised in a shorter and simpler form than that found in the reference draft, but without any change in meaning.

The words "and until their successors are elected and have qualified" have been dropped. A new section has been suggested, covering all the offices in the State, in regard to the matter covered by the above quotation. (See Section 52 of the Judiciary Proposal as revised.)

Section 12. The first part of this section is taken practically without change from Section 8 of the Revenue Article of the present Constitution; the rest of the section is new. If the section is analyzed it will be found to contain the following ideas:

1. County authorities shall not impose taxes for general purposes in excess of seventy-five cents per one hundred dollars valuation.
2. This limit, however, may be exceeded if the excess is authorized by a vote of the people of the county.
3. If the General Assembly makes the county the unit for imposing road and bridge taxes, then a tax for that purpose up to seventy-five cents per one hundred dollars valuation may be imposed by the county authorities.
4. This limit, however, may also be exceeded if the excess is authorized by a vote of the people of the county.

The words "seventy-five cents per one hundred dollars valuation" have been changed to "three fourths of one per cent of valuation" in order to conform to the language used in the revision of Section 8 and 9 of the Revenue Proposal, and in the revision of Section 15, Article I, of the proposal on Chicago and Cook County. The term "per cent" is preferable to "per centum". (See Webster's International Dictionary.)

The words "county authorities" have been dropped where they appear in the section, and the word "county" substituted instead. It is

obvious that any action by the county must be taken by the proper county authorities.

As revised the Section expresses all of the ideas of the reference draft in a clearer and simpler form.

Section 13. This is a new section, its purpose being to permit the General Assembly to provide for the construction and improvement of highways by special assessment, and for making the county the unit for that purpose. At the present time special assessments may be levied only by "cities", "towns", "villages" and "drainage districts". The Constitution forbids the granting of the power of special assessment for local improvements to any other local government. (Section 9, Article IX. See *People* v. *Board of Commissioners,* 221 Ill. 493, 1906; also *Report of Attorney General* 1917-18, p. 1034.)

The reference draft has been shortened and simplified in the section as revised, but without change in meaning.

Section 14. No change is suggested in this section.

Report No. 18.

YOUR COMMITTEE ON PHRASEOLOGY AND STYLE, TO WHICH WAS REFERRED A PROPOSAL ENTITLED JUDICIAL DEPARTMENT (INTRODUCTION NO. 383, REFERENCE NO. 20), AS AMENDED IN COMMITTEE OF THE WHOLE, RESPECTFULLY REPORTS THAT IT HAS CONSIDERED SUCH PROPOSAL AND HEREWITH SETS FORTH, FIRST, SAID PROPOSAL AS ADOPTED IN COMMITTEE OF THE WHOLE, AND SECOND, A SUBSTITUTE THEREFORE AS RECOMMENDED BY THIS COMMITTEE.

(Proposal as Adopted in Committee of the Whole.)

Resolved, *That the following shall become a part of the Constitution of Illinois:*

Section 1. The judicial powers shall be vested in the Supreme Court, Appellate Courts, Circuit Courts, County Courts in counties other than Cook, the District Court of Cook County and justices of the peace.

Section 2. The power to prescribe rules of pleading, practice and procedure shall be vested exclusively in the courts; provided, that the General Assembly may set aside or abrogate, by law, any rule prescribed by any court.

Supreme Court.

Section 3. The Supreme Court shall have original jurisdiction in cases relating to the revenue, in *quo warranto,* mandamus, *habeas corpus* and prohibition, and shall have appellate jurisdiction in all other cases. Its appellate jurisdiction shall include the review of causes in which questions of law have been differently determined by Appellate Courts. Such review, until otherwise provided by law, shall be had in such manner as the Supreme Court may by general rules prescribe. The Supreme

Court shall have exclusive power to prescribe rules of pleading, practice and procedure in all courts; provided, that the Appellate Courts, Circuit Courts, County Courts and the District Court of Cook County shall have power to make rules not inconsistent with the rules prescribed by the Supreme Court.

Section 4. The sessions of the Supreme Court shall be held at the seat of government of the State. Said court shall hold not less than four terms annually at such times as it may fix, until otherwise provided by law.

Section 5. The Supreme Court shall consist of seven justices, one of whom to be chosen by themselves, shall be chief justice. A majority of the justices shall constitute a quorum and the concurrence of four shall be necessary to every decision.

Section 6. The State shall be divided into six districts for the election of justices. The first district shall consist of the County of Cook and two justices shall be elected from that district. The State, outside of the County of Cook, shall be divided into five districts for the election of justices, and until otherwise provided by law, they shall be as follows:

Second District: (Herein insert names of counties).
Third District: (Herein insert names of counties).
Fourth District: (Herein insert names of counties).
Fifth District: (Herein insert names of counties).
Sixth District: (Herein insert names of counties).

One justice shall be elected from each of said districts numbered 2, 3, 4, 5 and 6.

Section 7. The justices of the Supreme Court in office at the time of the adoption of this Constitution shall continue to hold office during the respective terms for which they were elected or appointed and until their successors are elected and shall qualify. The term of office of justices of the Supreme Court elected after the adoption of this Constitution, other than justices elected or appointed to fill unexpired terms, shall be ten years from the day of their election.

(Herein insert provisions for the extension of the terms of the present justices, if necessary, to conform to the re-apportionment plan and the election hereafter of justices in as nearly equal numbers as possible every third year. Provision shall also be made for the election of the additional justice from the first district in the year 1924 and for the election of the two justices from that district in different years.)

Section 8. Whenever and as often as the majority of the justices of the Supreme Court shall certify to the Governor that said court is unable, by reason of the death, disability or resignation of any justice or justices of the Supreme Court, to hear and dispose of the causes pending in said court with reasonable dispatch, the Governor shall, for every such vacancy or disability, designate a judge of the Appellate Court to serve as an associate justice of the Supreme Court. Every judge so designated shall be relieved from his duties as judge of the Appellate Court and shall serve as an associate justice of the Supreme Court until such vacancy shall have been filled or such disability removed, when he shall return to the Appellate Court.

Section 9. The Supreme Court shall appoint a clerk of the court and a reporter of its decisions, each of whom shall hold his office for six years, subject to removal by the court.

Appellate Courts.

Section 10. The Appellate Courts shall be of uniform organization and jurisdiction, and shall be known respectively as the Appellate Court for the First District, the Appellate Court for the Second District, the Appellate Court for the Third District and the Appellate Court for the Fourth District. Said districts shall remain as now constituted until otherwise provided by law. The Appellate Court for the First District shall hold its sessions at Chicago; for the Second District at Ottawa, for the Third District at Springfield, and for the Fourth District at Mount Vernon, until otherwise provided by law. Each of said Appellate Courts shall consist of three judges and shall have such number of branches, of three judges each, as the Supreme Court may from time to time determine. Such branch courts shall have the same jurisdiction, powers, duties and rules of practice as and the judges thereof the same qualifications as the judges of said Appellate Courts. The terms of the Appellate Courts and branches shall be held at such times as the Supreme Court may determine, unless otherwise provided by law.

Section 11. Appeals from and writs of error to the Circuit Courts, County Courts and the District Court of Cook County may be prosecuted in all cases. Appeals shall be taken to, and writs of error issued from, the Supreme Court in all criminal cases in which the punishment by the judgment of the court is death or imprisonment in the penitentiary and in all cases in which a franchise, freehold or the validity of a statute is involved. Appeals and writs of error in such other cases as the Supreme Court may by general rule prescribe may be prosecuted to or from the Appellate Courts, and unless so prescribed, such other appeals and writs of error shall be taken to, or issued from, the Supreme Court directly. The Supreme Court may by general rule prescribe the final jurisdiction of the Appellate Courts, unless otherwise provided by law. Judgments of the Appellate Courts in all criminal cases in which the punishment fixed shall not involve imprisonment in the penitentiary shall be final, except in cases in which the Supreme Court shall allow review by *certiorari*.

Section 12. The term of office of the judges of the Appellate Courts shall be six years. The Supreme Court shall, on or before the first day of January, A. D. 1922, and every sixth year thereafter, appoint the judges of the Appellate Courts, and of such branch or branches thereof as may have been created. The terms of office of the judges of said courts shall expire on the first day of January, A. D. 1928, and every six years thereafter. The Supreme Court may, for good cause shown, remove any of said judges from office; and in case of any vacancy in any of said Appellate Courts, the Supreme Court shall fill such vacancy by appointment.

Section 13. The judges of the Appellate Court for each district, including the judges of the branch or branches thereof, shall appoint a

clerk of the court for such district, who shall hold his office for six years, subject to removal by said judges.

CIRCUIT COURTS OUTSIDE OF COOK COUNTY.

Section 14. The Circuit Court of each county is hereby continued, and on the first Monday of May, A. D. 1922, the Circuit and City Courts in each county other than Cook, where both courts exist, shall be consolidated into one court of record to be known as the Circuit Court.

Section 15. The Circuit Courts, other than the Circuit Court of Cook County, shall have original jurisdiction of all causes at law and in equity, and such other jurisdiction, original and appellate, as is or may be provided by law.

Section 16. All judicial circuits established by law at the time of the adoption of this Constitution shall be preserved until changed by law. The boundaries of such circuits may be changed and new circuits may be formed, exclusive of the County of Cook, by the General Assembly, at its session next preceding the election for circuit judges, but at no other time; provided, that the circuits may be equalized or changed at the first session of the General Assembly after the adoption of this Constitution. Such circuits, when changed, or new circuits when created, shall be formed of contiguous counties, in as nearly compact form and as nearly equal as circumstances will permit, having due regard to business, territory and population, and shall not exceed in number one circuit for every one hundred fifty thousand of population in the State. The creation or change of any circuit shall not affect the tenure of office of any judge. Whenever the business of the Circuit Court of any one, or of two or more contiguous counties, containing a population exceeding one hundred thousand, shall occupy nine months of the year, the General Assembly may make of such county or counties, a separate circuit. Whenever additional circuits are created, the foregoing limitations shall be observed.

Section 17. The judges of the Circuit Court of each circuit, other than the County of Cook, in office at the time of the adoption of this Constitution, shall continue to hold office during the term for which they were elected or appointed, and until their successors are elected and shall qualify. The term of office of judges of the Circuit Court elected after the adoption of this Constitution, other than judges elected or appointed to fill unexpired terms, shall be six years from the day of their election. At the annual election in November, A. D. 1927, and at the annual election every six years thereafter, there shall be elected in each circuit, other than the County of Cook, three judges of the Circuit Court.

Section 18. The Circuit Court in each county shall always be open for the transaction of business, provided, the General Assembly may prescribe terms, not less than four annually for the convening of the Circuit Court in any county for the disposition of criminal and common law causes. In all chancery suits, and unless otherwise provided by law for any county or counties, in criminal and common law causes, the first Monday of each month shall be the return day for process.

Section 19. Sessions of the Circuit Court shall be held at the county seat of each county, but the judges of the circuit in which any county is situate, or a majority of them, may by an order provide for the holding of two or more sessions of said court each year in any city wholly or partly in the county other than the county seat and assign for trial thereat, any cause pending therein, except criminal cases; provided, however, that such city or part thereof other than the county seat shall have a population of at least five thousand inhabitants and shall provide suitable quarters for the holding of such sessions without any expense to the county or the State.

County Courts.

Section 20. The County Court of each county, other than Cook, is hereby continued and on the Tuesday next after the first Monday of November, A. D. 1922, the County and Probate Courts in each county, other than Cook, where both courts exist, shall be consolidated into one court of record to be known as the County Court.

Section 21. County Courts shall have original jurisdiction of all matters of probate, guardianship, conservatorship and apprenticeship, the administration and settlement of estates of deceased persons and proceedings for the sale of their real estate to pay debts and legacies, concurrent jurisdiction with Circuit Courts in testamentary trusts, all proceedings relating to taxes and assessments and for the collection thereof, common law causes *ex contractu* where the sum involved does not exceed two thousand dollars exclusive of interest and costs, criminal cases below the grade of felony, exclusive jurisdiction of all appeals from justices of the peace, and such other jurisdiction as is or may be provided by general law.

Section 22. The judges of the County Courts in counties other than Cook, in office at the time of the adoption of this Constitution, shall continue to hold office during the term for which they were elected or appointed, and until their successors are elected and shall qualify. The term of office of judges of County Courts elected after the adoption of this Constitution, other than judges elected or appointed to fill unexpired terms, shall be six years from the day of their election. At the annual election in November, A. D. 1922, and at the annual election every six years thereafter, there shall be elected in and for each county one judge of the County Court. But the General Assembly may create districts of two or more contiguous counties, in each of which districts shall be elected one judge, who shall take the place and exercise the powers and jurisdiction of judges of the County Courts in such districts. The General Assembly may also, by general law, provide for the election of an additional judge of the County Court in counties having a population exceeding seventy-five thousand.

Section 23. County Courts shall always be open for the transaction of business and the first Monday of each month shall be the return day for process or appeal to said courts.

JUSTICES OF THE PEACE AND CONSTABLES OUTSIDE OF COOK COUNTY.

Section 24. Justices of the peace and constables shall be elected or appointed in and for such districts outside of the county of Cook, and such justices of the peace shall have such uniform jurisdiction, as may be provided by law. They shall receive the salaries fixed by the boards of supervisors or county commissioners of the respective counties, which salaries shall be paid by the districts in which they are severally elected or appointed. All fees and emoluments received by any justice of the peace or constable shall be paid into the treasury of the district in which he is elected or appointed.

STATE'S ATTORNEYS.

Section 25. A State's attorney in and for each county, whose term of office shall be four years, shall be elected at the annual election in November, A. D. 1924, and every four years thereafter.

CIRCUIT COURT OF COOK COUNTY.

Section 26. The county of Cook shall constitute one judicial circuit. On the first Monday of May, A. D. 1922, the Circuit, Superior, County and Probate Courts of Cook County, and the City Court of Chicago Heights, shall be consolidated into one court to be known as the Circuit Court of Cook County.

Section 27. The Circuit Court of Cook County shall have original jurisdiction of all causes at law and in equity, all matters of probate, guardianship, conservatorship and apprenticeship, the administration, and settlement of estates of deceased persons and proceedings for the sale of their real estate to pay debts and legacies, all proceedings relating to taxes and assessments and for the collection thereof, and such other jurisdiction, original and appellate, as is or may be provided by law.

Section 28. The Circuit Court of Cook County shall consist of forty-two judges until their number shall be increased or decreased as herein provided. The judges of the Circuit, Superior, County and Probate Courts of Cook County in office on the first Monday of May, A. D. 1922, shall be the judges of said consolidated court, and shall continue to hold office during the respective terms for which they were elected or appointed, and until their successors are elected and shall qualify. The term of office of judges of the Circuit Court of Cook County elected after the adoption of this Constitution, other than judges elected or appointed to fill unexpired terms, shall be six years from the day of their election. There shall be elected to the office of judge of the Circuit Court of Cook County, at the annual election in November, A. D. 1923, successors to the judges of the County and Probate Courts and to such of the judges of the Superior Court whose terms shall then expire or have expired; at the annual election in November, A. D. 1925, successors to such of the judges of the Superior Court whose terms shall then expire or have expired and at the annual election in November, A. D. 1927, successors to

the present judges of the Circuit Court and to the judge of the Superior Court whose terms shall have then expired. Subsequently, at the annual election in November of the year in which the term of any judges of said consolidated court shall expire, and every six years thereafter, successors to such judges shall be elected.

District Court of Cook County.

Section 29. On the first Monday of May, A. D. 1922, the Criminal Court of Cook County and the Municipal Court of Chicago shall be consolidated into one court to be known as the District Court of Cook County, whose territorial jurisdiction shall be coterminus with the limits of the County of Cook.

Section 30. The District Court of Cook County shall have original jurisdiction of all cases of a criminal and quasi-criminal nature, arising in the county of Cook, or that may be brought before said court, pursuant to law; and all bonds, recognizances and appeals in criminal and quasi-criminal cases shall be returnable and taken to said court. The District Court shall also have civil jurisdiction as follows: (a) in all actions founded on contract where the amount claimed does not exceed two thousand dollars, exclusive of interest and costs; (b) in all actions sounding in tort where the damages claimed do not exceed two thousand dollars; (c) exclusive jurisdiction of all appeals from justices of the peace, and (d) in such statutory proceedings as may be conferred by general law.

Section 31. The District Court of Cook County shall consist of thirty-one judges until their number shall be increased or decreased as herein provided. The judges of the Municipal Court of Chicago in office on the first Monday of May, A. D. 1922, shall be judges of the District Court of Cook County until the expiration of the respective terms for which they were elected or appointed, and until their successors are elected and shall qualify. The term of office of judges of the District Court of Cook County elected after the adoption of this Constitution, other than judges elected or appointed to fill unexpired terms, shall be six years from the day of their election. There shall be elected to the office of judge of the District Court of Cook County at the annual election in November, in each of the years, A. D. 1923, 1925, and 1927, successors to such of the judges of the Municipal Court of Chicago whose terms shall then have expired. Subsequently, at the annual election in November of the year in which the term of any judges of said District Court shall expire, and every six years thereafter, successors to such judges shall be elected.

Section 32. The Supreme Court shall designate judges of the District Court of Cook County, who shall hold the criminal branches of said District Court. Each said designation shall be for a definite period not extending beyond the term of office of the judge so designated.

Section 33. Sessions of the District Court of Cook County shall be held at the city of Chicago. The General Assembly may, however, provide for the holding of branches of said court in cities, villages, and incorporated towns, within said county, other than the city of Chicago,

which have a population of at least five thousand inhabitants. Suitable quarters for the holding of the criminal branches of said court shall be provided by the county of Cook. All other branches or sessions of said court shall be held in quarters furnished respectively by the city of Chicago, and such other cities, villages and incorporated towns in which such branches or sessions shall be held, without expense to the county or the State.

Circuit and District Courts of Cook County.

Section 34. The Supreme Court shall appoint a chief justice of each of said courts from the judges thereof, and each of the judges of said courts may hold a branch of the court of which he is a member. Upon the concurrence of the chief justices of both courts, and by an order, either specific or general, entered of record in each court, any judge of either court may be assigned to duty in, and hold a branch of, the other court; and any cause or matter may be in like manner transferred from one court to the other, provided the cause or matter transferred is within the jurisdiction of the court receiving it.

Section 35. The chief justices of the Circuit and District Courts of Cook County shall have power and authority to establish departments and branches of the respective courts over which they preside; to assign the judges of such courts to duty in such departments and branches and to change such assignments from time to time, as the proper dispatch of business of said courts may require. The judge so assigned shall perform the duties appertaining to such assignment. One of the departments of the Circuit Court of Cook County shall be known as the Juvenile and Domestic Relations Court. It shall hear and determine such causes and proceedings as may be assigned to it by general order of said Circuit Court.

Section 36. The chief justice of the Circuit Court of Cook County shall, until otherwise provided by law, exercise the power and authority conferred and perform the duties imposed by law, at the time of the adoption of this Constitution, upon the County Judge of Cook County.

Section 37. The General Assembly may increase the number of the judges of the Circuit and District Courts of Cook County by adding one to either of said courts, but not to both, for every additional fifty thousand inhabitants in said county above a population of three million four hundred thousand. The number of the judges of said courts, or of either of them, may also be decreased by the General Assembly whenever, in its judgment such decrease shall be justified.

Section 38. Whenever electors of Cook County equal in number to one-tenth of the vote cast for all candidates for President of the County Board of Commissioners at the last preceding election thereof shall petition the chief justice of the Circuit Court of said county to submit to a vote of the electors thereof the proposition as to whether said county shall adopt the system for the appointment of the judges of the Circuit and District Courts of Cook County hereinafter provided, it shall be the duty of such chief justice to submit such proposition to a special county election to be called by such judge within ninety days, by entering of

record in said court an order to that effect. But if at any such special election such proposition shall not be adopted, said proposition shall not be again submitted for two years. Such election shall be held under the election laws in force in Cook County. If such proposition receives the affirmative vote of a majority of those voting thereon, such system of appointment shall be adopted, and the chief justice shall proclaim the adoption thereof. The form of such petition, and of its verification, and of the ballots to be used in such election and the manner of voting therein, and the public notice thereof to be given, and the method of certification and recording of the result of said election, shall be prescribed by law, or by the Supreme Court in case the same shall not have been prescribed by law. After the adoption of such proposition, the method of choosing judges of the Circuit and District Courts of Cook County shall be as follows: Upon the occurrence of a vacancy in the office of any judge of said county, the Governor shall fill such vacancy by appointment, from a list of eligible persons furnished to him by a majority of the justices of the Supreme Court, including a majority of the justices thereof from the Seventh Supreme Judicial District, which list shall contain the names of four or more persons for each judge to be appointed, not more than half of whom shall be affiliated with the same political party. Excepting as in this section is otherwise provided, each judge appointed by the Governor for said county of Cook shall hold his office during good behavior. At the annual election in November of every sixth year after the adoption of such system of appointment, an election shall be held in the county of Cook to enable the duly qualified electors thereof to express their approval or disapproval of the judges so appointed and then in office. The method of voting and the form of ballots to be used at such election shall be prescribed by law. If at any such election a majority of the electors of said county voting at such election shall by their votes express their disapproval of any such judge, his office shall, after the expiration of ninety days therefrom, become vacant, and he shall be ineligible to appointment as a judge of said court for a period of six years thereafter.

Section 39. The judges of the Circuit Court, and the State's Attorney, of Cook County, shall be paid, out of the State treasury, the same salaries as are now or may be paid from said treasury to the circuit judges and State's attorneys of the State. The judges of the District Court shall be paid, out of the said treasury, the maximum salary now or hereafter paid therefrom to the county judges of the State. Both the judges of the Circuit and District Courts, and the State's attorney, of Cook County, shall be paid such further compensation by the county of Cook as is or may be provided by law. The judges of the District Court who shall be designated by the Supreme Court to hold the criminal branches of said District Court shall, while so designated, receive the same compensation from the State treasury and the county of Cook as is or may be paid to the circuit judges of that county.

Section 40. The clerks of the Circuit Court of Cook County and the Municipal Court of Chicago, at the time of the adoption of this Constitution, shall be respectively the clerks of the Circuit and District Courts

of Cook County, and shall continue in office during the terms for which they were respectively elected. The clerks of the Superior and Probate Courts of Cook County shall be deputy clerks of the Circuit Court, and the clerk of the Criminal Court of Cook County shall be a deputy clerk of the District Court of Cook County, during the terms for which they were respectively elected, and at the salaries received by them, at the time of the adoption of this Constitution. Thereafter only one clerk of the Circuit Court and one clerk of the District Court, of Cook County, shall be elected, each of whom shall hold his office for the term of four years.

Justices of the Peace and Constables in Cook County.

Section 41. The chief justice of the District Court of Cook County shall appoint a justice of the peace and constable in and for each town in the county of Cook outside of the city of Chicago, and in and for that portion of each town partly within and partly without said city which is outside of said city, each of whom shall hold his office for the period of two years. Any such justice of the peace or constable may be removed from office at any time by said chief justice, and the cause for every such removal shall be entered of record. Such justices of the peace shall have the same jurisdiction and such constables shall perform the same duties as justices of the peace and constables respectively have and perform outside of the county of Cook. An additional justice of the peace and constable may be appointed in and for each such town or portion of a town for every additional ten thousand inhabitants therein, or major portion thereof, above a population of ten thousand. Said justices and constables shall receive the respective salaries fixed by the Board of County Commissioners, which salaries shall be paid by the county of Cook; and all fees and emoluments received by them shall be paid into the treasury of that county.

General Provisions.

Section 42. No person, other than one who is a judge of the court at the time of the adoption of this Constitution, shall be eligible to the office of justice of the Supreme Court or judge of the Apellate or Circuit Court, unless, at the time of his election or appointment, he shall be at least thirty-five years of age, and shall have been engaged in this State, either in active practice as an attorney and counselor-at-law or in the discharge of the duties of a judicial office for at least ten years preceding his election or appointment, or in one of said occupations during a portion of said time and in the other the remaining portion thereof; nor to the office of judge of the County Court or the District Court of Cook County, unless, at the time of his election or appointment, he shall be at least thirty years of age and shall have been so engaged for at least five years preceding his election or appointment.

Section 43. The boundaries of the districts for the election of justice of the Supreme Court and the boundaries of the Appellate Court districts may be changed by the General Assembly, but such alterations

shall only be made, as nearly as county boundaries will allow, upon the basis of equality of population, and the districts shall be composed of contiguous counties in as nearly compact form as circumstances will permit. The alterations of the districts shall not affect the tenure of office of any justice of the Supreme Court or judge of the Appellate Court.

Section 44. The Supreme Court shall have power and authority, from time to time, to assign, for such periods as it may designate, judges of the Appellate Court to districts other than those for which they were appointed and judges of the Circuit Courts to circuits other than those for which they are elected.

Section 45. Each court into which, by the provisions of this article, other courts are consolidated, shall immediately, upon such consolidation, succeed to and assume jurisdiction of all causes, matters and proceedings then pending in all courts of which it is the successor, with full power and authority to dispose of the same, and to carry into execution or otherwise to give effect to all orders, judgments and decrees theretofore entered by the respective courts thus consolidated.

Section 46. No action or proceeding shall be open to objection on the ground that a merely declaratory judgment or decree or order is sought thereby, and the court may make a binding declaration of right, whether any consequential relief is or could be claimed, or not, as may be provided by law.

Section 47. The office of judge of the city court and judge of the probate court or probate judge shall be abolished from and after the respective consolidations of city and probate courts with other courts as in this article provided. The offices of justices of the peace and constable existing at the time of the adoption of this Constitution shall, from and after the election or appointment and qualification of justices of the peace and constables in the respective districts, towns or portions of towns, in accordance with the provisions of this article, as to such districts, towns or portions of towns, be abolished.

Section 48. The electors of any district outside of the county of Cook, and of any town in the county of Cook, outside of the city of Chicago, or of that portion of any town partly within and partly without said city which is outside of said city, or of that county outside of said city as a whole, may, at any time, by a majority vote, in such manner as the General Assembly shall prescribe, abolish the offices of justice of the peace and constable, or either of them, within the jurisdiction of the electorate voting upon the question.

Section 49. The salaries of the justices of the Supreme Court and of the judges of the Appellate Court, Circuit Court and County Court and the District Court of Cook County shall be fixed by law, and, except as otherwise prescribed in this article, shall be paid out of the State treasury. The salary of no judicial officer after it has been fixed by law shall be increased or decreased during the term for which he is elected or appointed, and no justice of the Supreme Court or judge of the Appellate Court, Circuit Court or County Court or the District Court of Cook County shall receive any other compensation, perquisite or bene-

fit in any form whatever, nor shall he perform any duties, other than judicial, or engage in the practice of law so long as he shall hold the office of such justice or judge.

Section 50. All laws relating to courts shall be general and of uniform operation; and the organization, jurisdiction, powers, proceedings, and practice of all courts of the same class or grade, so far as regulated by law, and the force and effect of the process, judgments, and decrees of such courts severally, shall be uniform.

Section 51. The General Assembly may, for cause entered on the journal of each House, upon due notice and opportunity of defense, remove from office any judge, upon concurrence of three-fourths of all the members elected, of each House. All other officers in this article mentioned shall be removed from office on prosecution and final conviction for misdemeanor in office.

Section 52. All judicial officers shall be commissioned by the Governor. All officers provided for in this article shall hold their offices until their successors shall qualify, and they shall, respectively, reside in the district, circuit, or county for which they may be elected or appointed. Unless otherwise provided in this article, the terms of office of all such officers shall be four years, and they shall perform such duties and receive such salaries as are, or may be, provided by law. The appointing power to fill vacancies in elective judicial offices is hereby vested in the Governor.

Section 53. All process shall run: *In the name of the People of the State of Illinois;* and all prosecutions shall be carried on: *In the name and by the authority of the People of the State of Illinois;* and conclude: *Against the peace and dignity of the same.*

Section 54. "Population," whenever used in this article, shall be determined by the next preceding census of this State or of the United States.

PROPOSAL AS RECOMMENDED BY THIS COMMITTEEE.

Section 1. The judicial power shall be vested in the Supreme Court, the Appellate, Circuit and County Courts, the District Court of Cook County and justices of the peace.

SUPREME COURT.

Sec. 2. (Reference Sections 5 and 6 and part of Section 7.) The Supreme Court shall consist of seven justices elected for terms of ten years, from six districts of the State. The First District shall consist of the County of Cook as constituted at the adoption of this Constitution. Until otherwise provided by law the other districts shall be constituted as follows:

Second District: (Name Counties).
Third District: (Name Counties).
Fourth District: (Name Counties).
Fifth District: (Name Counties).
Sixth District: (Name Counties).

Two justices shall be elected from the First District and one justice from each of the remaining districts.

Sec. 3. (Reference Section 8.) Whenever a quorum of the Supreme Court certifies to the Governor that the Court is unable to dispose of its pending cases with reasonable dispatch, because of the death, disability or resignation of any justice, the Governor shall designate a judge of one of the Appellate Courts who shall serve as a justice of the Supreme Court, and receive the salary paid a justice of that court, until the vacancy is filled or the Supreme Court certifies to the Governor that the disability is removed, when he shall return to the Appellate Court.

Sec. 4. (Reference Sections 4 and 9.) The Supreme Court shall sit at the seat of government, and until otherwise provided by law shall hold annually at least four terms at such times as it may fix. Four justices shall constitute a quorum and the concurrence of four shall be necessary to every decision.

The Supreme Court shall choose one of its members chief justice and shall appoint its clerk and a reporter of its decisions for terms of six years subject to removal by the court.

Sec. 5. (Reference Section 3.) The Supreme Court shall have original jurisdiction in cases relating to the revenue, in *quo warranto,* mandamus, *habeas corpus* and prohibition, and appellate jurisdiction in all other cases. The Supreme Court shall review cases where questions of law have received conflicting determination by Appellate Courts, such review to be regulated by the Supreme Court until otherwise provided by law.

Sec. 6. (Reference Section 2.) The Supreme Court shall have exclusive power to prescribe rules of pleading, practice and procedure in all courts, but rules not inconsistent therewith may be prescribed by other courts of record. Any rule of court may be set aside by law.

APPELLATE COURTS.

Sec. 7. (Reference Sections 10, 12 and 13.) There shall be four Appellate Courts of uniform jurisdiction having such districts and sitting at such places as provided by law. Each Appellate Court shall consist of three judges appointed by the Supreme Court for terms of six years. The Supreme Court shall determine the times for holding the terms of the Appellate Courts, unless otherwise provided by law; shall fill vacancies in those courts and for good cause shown may remove any judge thereof.

Each Appellate Court shall appoint its clerk for a term of six years subject to removal by the Court.

Each Appellate Court may have one or more branches as determined by the Supreme Court. If the Supreme Court abolishes any such branch court the terms of its judges shall thereupon expire.

The term Appellate Court shall include any branch thereof.

APPEALS AND WRITS OF ERROR.

Sec. 8. (Reference Section 11.) Appeals from and writs of error to Circuit Courts, County Courts and the District Court of Cook County may be prosecuted in all cases as follows:

To or from the Supreme Court in criminal cases where the sentence is death or imprisonment in the penitentiary, and in cases where a franchise or freehold or the validity of a statute is involved;

To or from the Appellate Courts in such other cases as may be prescribed by general rule of the Supreme Court;

To or from the Supreme Court in all other cases.

The Supreme Court by general rule may prescribe the final jurisdiction of Appellate Courts in civil cases, unless otherwise provided by law. Judgments of the Appellate Courts in criminal cases shall be final unless the Supreme Court allows review by *certiorari*.

CIRCUIT COURTS OUTSIDE OF COOK COUNTY.

Sec. 9. (Reference Sections 15, 16, 17, 18 and 19.) The State outside of the County of Cook shall be divided into judicial circuits formed of contiguous counties, as compact in form and as nearly equal as circumstances permit, having regard to business, territory and population. The number of such circuits shall not exceed one for every one hundred and fifty thousand population in the part of the State so divided, except that any circuit may be formed of a county or contiguous counties having a population exceeding one hundred thousand if the business of the Circuit Court or Courts therein occupies nine months of the year.

The circuits existing at the adoption of this Constitution may be changed by law but only at the first session of the General Assembly after such adoption, or at a session next preceding an election for circuit judges. No such change shall affect the term of any judge.

In every such circuit there shall be simultaneously elected for terms of six years, three judges of the Circuit Court.

There shall be a Circuit Court in each county of every such circuit, having original jurisdiction of all cases at law and in equity and such other jurisdiction, original and appellate, as provided by law.

Such Circuit Courts shall always be open for the transaction of business, but terms of court not less than four annually may be prescribed by law for criminal and common law cases. In chancery cases, and unless otherwise provided by law, in criminal and common law cases, the first Monday of each month shall be return day for process.

Such Circuit Courts shall sit at the county seat of the county; but a majority of the judges of the circuit may provide (except in criminal cases) for holding branches in any city wholly or partly in the county whenever such city or part thereof has not less than five thousand population and suitable quarters for holding court are provided without expense to the county or State.

COUNTY COURTS.

Sec. 10. (Reference Sections 21, 22 and 23.) There shall be a County Court in each county (except the county of Cook), which shall have original jurisdiction of matters of probate, guardianship, conservatorship, apprenticeship, the administration and settlement of estates of deceased persons and proceedings to sell their real estate to pay debts and legacies; of proceedings relating to taxes and assessments and their collection; of common law cases *ex contractu* where the sum involved exclusive of interest and costs does not exceed two thousand dollars; of criminal cases below the grade of felony; exclusive jurisdiction of appeals from justices of the peace; concurrent jurisdiction with the Circuit Courts of testamentary trusts; and such other jurisdiction as provided by law.

A judge of the County Court shall be elected for a term of six years in every such county, except where contiguous counties may by law be made a district, when one judge shall be elected for a like term for all County Courts in the district. Counties having more than 75,000 population may elect an additional judge of the County Court as provided by law.

The County Courts shall always be open for the transaction of business and the first Monday of each month shall be return day for process and appeals.

COURTS IN COOK COUNTY.

Sec. 11. (Reference Section 26.) The county of Cook shall constitute one judicial circuit, and shall have a Circuit Court and the District Court of Cook County.

Sec. 12. (Reference Section 27 and 28.) The Circuit Court of Cook County shall consist of forty-two judges (until the number is changed by law) elected for terms of six years.

The court shall have original jurisdiction of cases at law and in equity; of matters of probate, guardianship, conservatorship, apprenticeship, the administration and settlement of estates of deceased persons and proceedings to sell their real estate to pay debts and legacies; proceedings relating to taxes and assessments and their collection; and such other jurisdiction, original and appellate, as provided by law. The court shall sit at the county seat.

Sec. 13. (Reference Sections 30, 31 and 33.) The District Court of Cook County shall consist of thirty-one judges (until the number is changed by law) elected for terms of six years.

The court shall have original jurisdiction of cases of a criminal or quasi-criminal nature, including bonds and recognizances taken in such cases; of common law cases *ex contractu* where the amount claimed exclusive of interest and costs does not exceed two thousand dollars; of cases in tort where the damages claimed do not exceed two thousand dollars; exclusive jurisdiction of appeals from justices of the peace; and jurisdiction of such statutory proceedings as provided by law.

The court shall sit in the city of Chicago, but provision may be made by law for holding branches of the court in other cities of the county having a population of at least five thousand. The county of Cook shall provide suitable quarters for holding the criminal branches of the court; the city of Chicago or any city where the other branches of the court are held, shall respectively furnish quarters for such branches without expense to the county or State.

Sec. 14. (Reference Sections 32, 34 and 35.) The chief justices of the Circuit and District Courts of Cook County shall be appointed by the Supreme Court from the judges of those courts respectively.

Such chief justices may jointly assign any judge of either court to duty in the other court or, subject to the jurisdiction of each court. transfer any case or class of cases from one court to the other.

There shall be a criminal branch of the District Court of Cook County composed of judges of that court assigned for definite periods by the Supreme Court in such numbers as it may determine. There shall be a branch of the Circuit Court of Cook County called the Juvenile and Domestic Relations Court, having jurisdiction of such cases as are assigned to it by general order of such Circuit Court. Each chief justice may establish other branches or departments of his court and assign judges to duty therein.

Sec. 15. (Reference Section 37.) The number of judges of the Circuit and District Courts of Cook County may be increased by adding one judge to either court, but not to both, for every fifty thousand population in the county above three million four hundred thousand. The number of judges of either or both of such courts may be decreased as provided by law.

Sec. 16. (Reference Section 38.) The electors of Cook County, equal in number to one-tenth of the total vote cast for President of the County Board at the last preceding election may file in the Circuit Court of Cook County a petition to submit to a vote the proposition whether the county shall adopt the system hereinafter provided for appointing judges. Thereupon the chief justice of that court by an order entered of record shall call a special county election for submitting such proposition within ninety days after such order is entered. The election shall be held under the election laws in force in the county. If the proposition is approved by a majority of those voting thereon, it shall be declared adopted by such chief justice. If the proposition is not approved it shall not again be submitted for two years. The form of the petition and its verification, and of the ballots to be used at the election, the manner of voting, the public notice to be given, the method of certifying and recording the result of the election, and other necessary details shall be prescribed by law or by the Supreme Court if not prescribed by law.

After the adoption of such proposition the manner of choosing judges for the Circuit and District Courts of Cook County shall be as follows:

The Governor shall fill any vacancy in those courts by appointment from a list containing the names of not less than four eligible persons for each vacancy, nominated by a majority of the Supreme Court, not

more than one-half of such persons to be affiliated with the same political party. Each judge so appointed shall hold his office during good behavior, subject to removal as herein provided. At the annual election every sixth year after the adoption of such system of appointment, the electors of the county shall be given an opportunity to express their disapproval of the judges of those courts so appointed and then in office. The method of voting, the form of ballots to be used at such election, and other necessary details, shall be prescribed by law. If a majority of those voting at the election express their disapproval of any judge, his office shall become vacant at the expiration of ninety days after the election, and for a period of six years thereafter he shall be ineligible to appointment as a judge of such courts.

JUSTICES OF THE PEACE AND CONSTABLES.

Sec. 17. (Reference Sections 24, 41 and 48.) Justices of the peace and constables shall be elected or appointed in such districts outside of the County of Cook, as provided by law.

A justice of the peace and constable shall be appointed by the chief justice of the District Court of Cook County in each town or portion of town in that county outside of the City of Chicago, each of whom shall hold office for two years unless sooner removed by such chief justice for cause shown of record. An additional justice of the peace and constable may be appointed in every such town, or portion of town, for every ten thousand population (or remainder equal to a major portion thereof) above ten thousand. Such justices of the peace shall have the same jurisdiction and such constables shall perform the same duties in the part of the County of Cook outside of the City of Chicago as like officials in the rest of the State.

Justices of the peace and constables shall receive, from their respective districts, salaries to be fixed by the County Board and shall pay into the treasury of the district their fees and emoluments.

The office of justice of the peace or constable may be abolished in any county (or any town in the county of Cook) by vote of the electors thereof, as provided by law.

GENERAL PROVISIONS.

Sec. 18. (Reference Section 25.) There shall be a State's attorney in each county elected for a term of four years.

Sec. 19. (Reference Sections 39 and 49.) The officers provided for by this article (except justices of the peace and constables) shall be paid salaries by the State. In the county of Cook they shall each receive the maximum salary paid such officers respectively in the rest of the State, and such further compensation from the county of Cook as provided by law. Judges of the District Court of Cook County

shall each receive the maximum salary paid judges of the County Court in the rest of the State, and such further compensation from the County of Cook as provided by law; but while assigned to the criminal branch of that court they shall receive the same compensation as judges of the Circuit Court of that county.

No judge of any court of record shall receive any compensation, perquisite or benefit other than his salary nor engage in the practice of law nor perform any duties other than those of his office.

Sec. 20. (Reference Section 42.) Justices of the Supreme Court and judges of the Appellate and Circuit Courts shall be at least thirty-five years of age and shall in this State have engaged in the active practice of law or have acted as a judicial officer or both for at least ten years; and judges of the County Courts and District Court of Cook County shall be at least thirty years of age and have had like experience for at least five years.

Sec. 21. (Reference Section 43.) The Supreme Court Districts (other than the First) and the Appellate Court Districts, if changed by law, shall be formed of contiguous counties and be as compact in form and as nearly equal in population as circumstances permit. No such change shall affect the term of any judge.

Sec. 22. (Reference Section 44.) The Supreme Court may transfer judges of the Appellate Courts from one district to another and judges of the Circuit Courts from one circuit to another.

Sec. 23. (Reference Section 46.) No case shall be open to objection because a merely declaratory judgment, decree or order is sought; and binding declarations of right may be made by courts as provided by law whether or not any consequential relief may be claimed.

Sec. 24. (First part of Reference Section 51.) The General Assembly upon due notice and opportunity for defense, and for cause entered upon the Journal of each house, may remove any judge upon concurrence in each House of three-fourths of its elected members. All other officers named in this article shall be removed from office on prosecution and final conviction for misdemeanor in office.

Sec. 25. (Reference Section 52.) Judicial officers shall be commissioned by the Governor and the appointing power to fill vacancies in elective judicial offices shall be vested in him. The officers provided for by this article shall reside respectively in the district, circuit, or county, for which they are elected or appointed, and shall perform such duties as provided by law. The terms of elective judicial officers shall begin on the day of their election.

Sec. 26. (Reference Section 53.) Process shall run: *In the name of the People of the State of Illinois.* Prosecutions shall be carried on: *In the name and by the authority of the People of the State of Illinois:* and shall conclude: *Against the peace and dignity of the People of the State of Illinois.*

TO BE PUT IN ARTICLE ON "OFFICERS."

(Last part of Reference Section 51.) All officers in this State shall be removed from office on prosecution and final conviction for misdemeanor in office.

(Part of Reference Section 52.) All officers in this State shall hold office until their successors have qualified.

Schedule.

(Transferred from Judicial Department.)

(Reference Sections 14 and 20.) On May 1, 1922, the City Courts in counties other than the county of Cook shall be consolidated with the Circuit Court of the county, and on November 7, 1922, the Probate Courts in such counties shall be consolidated with the County Court of the county. The office of any judge whose court has been so consolidated shall thereupon be abolished.

(Parts of Reference Sections 17 and 22.) After the adoption of this Constitution the first regular election for judges of the Circuit Courts shall be held in November, 1927, and the first regular election for judges of the County Courts shall be held in November, 1922.

(Parts of Reference Section 28, 29, 31 and 40.) On May 1, 1922, the Superior, Probate and County Courts of Cook County and the City Court of Chicago Heights shall be consolidated with the Circuit Court of Cook County, and the judges of such Circuit, Superior, Probate and County Courts shall become judges of such consolidated court; the Criminal Court of Cook County and the Municipal Court of Chicago shall be consolidated into the District Court of Cook County, and the judges of the Municipal Court of Chicago shall become judges of such consolidated court; the clerk of the Circuit Court of Cook County shall continue as such clerk; the clerk of the Municipal Court of Chicago shall become the clerk of the District Court of Cook County; the clerks of the Superior and Probate Courts of Cook County shall become deputy clerks of the Circuit Court of Cook County and the clerk of the Criminal Court of Cook County shall become a deputy clerk of the District Court of Cook County, such deputy clerks to hold office during the time for which they were respectively elected and at the salaries received by them respectively at the time of such consolidation; the office of clerk of the County Court of Cook County shall be abolished.

Except as otherwise provided in this Constitution, the office of any judge whose court has been so consolidated shall be abolished when such consolidation takes effect.

In November 1923, 1925 and 1927, there shall be elected judges of the Circuit Court of Cook County and the District Court of Cook County to succeed respectively the judges of those courts whose terms shall have then expired.

(Reference Section 45.) Cases pending in any court which is consolidated with another court by this Constitution shall be proceeded in by the succeeding court in all respects.

(Reference Section 47.) The office of justice of the peace and constable existing at the adoption of this Constitution shall be abolished upon the qualification in their respective counties (or towns or portions of towns in the county of Cook) of justices of the peace and constables chosen under this Constitution.

(Reference Section 12.) The terms of judges of the Appellate Courts appointed prior to January 1, 1928, shall expire on that date.

(Reference Section 36.) The chief justice of the Circuit Court of Cook County shall exercise the powers and perform the duties of the County Judge of Cook County until otherwise provided by law.

(Reference Section 42.) Section 20 of Article VI shall not apply to the reelection of judges in office upon the adoption of this Constitution.

Respectfully submitted,

ELAM L. CLARKE, *Chairman.*
THOS. RINAKER.
CHAS. B. T. MOORE.
E. H. DUPEE.
H. E. TORRANCE.
GEORGE A. BARR.
EDWARD H. BREWSTER.
Committee on Phraseology and Style.

IN RE PROPOSAL NO. 383.

Memorandum from Committee on Phraseology and Style, Accompanying Report on Proposal No. 383, being a Proposal Entitled

JUDICIAL DEPARTMENT.

The various sections of this proposal have been rearranged in a more logical form than that found in the reference draft. This result has been secured by grouping all the provisions affecting the Supreme Court in the first part of the article. Then follow successively the provisions affecting the Appellate Courts, the Circuit Courts outside Cook County, the County Courts outside Cook County, the Circuit Court in Cook County, the District Court of Cook County, and justices of the peace. The last part of the article as rearranged contains the general provisions affecting the Judicial Department as a whole. This rearrangement of the proposal, under which the various courts appear roughly in the order of their importance, constitutes the principal change made in the reference draft. The detailed changes made in phraseology and arrangement of subject matter need not be discussed. The draft of the article as here presented has been submitted to the chairman of the Committee on the Judicial Department and has been approved by him.

There are, however, two matters which should be called to the attention of the Convention in order that they may not be overlooked.

In Reference Section 3 there appears a provision under which the appellate jurisdiction of the Supreme Court is made to include the review of cases "differently determined" by Appellate Courts. This language has been somewhat revised in the report here presented, but its meaning has not been changed. Certain questions arise as to how this provision will work in actual practice. Suppose a case is decided in one Appellate Court and ten years later a decision is handed down in another Appellate Court, and the same question of law is "differently

determined" by the two Appellate Courts. Does the language of this provision give a right of review not only in the case last decided, but also in the case first decided? Again, it will be noted that the provision is a rigid one requiring that all cases "differently determined" as to the law by Appellate Courts shall be open to review in the Supreme Court. Such a provision opens a door so wide that no one can tell just what the result will be. For example, does this provision guarantee the right of what might be called "academic review"—that is, a review where no actual property rights are involved? The theory of the provision here in question is no doubt a wise one and no criticism of the theory is made; but after considering the provision this committee suggests that it be omitted, for the reason that under its rule making powers as granted in Reference Section 2 the Supreme Court would have authority to permit such review. As the provision now stands, the Supreme Court has no control over such cases except to regulate the manner in which they shall be reviewed. Your Committee suggests that the provision either be omitted from the Constitution; or that it be put in a permissive form, allowing the Supreme Court to have control over the extent to which such review shall be allowed as well as control over the manner in which the review shall be conducted.

The second point which should be called to the attention of the Convention is found in Section 11 of the reference draft. As that section is drafted, writs of error from, and appeals to, the Supreme Court are guaranteed in all criminal cases "where the sentence is death or imprisonment in the penitentiary." The question arises as to how this language would affect the rights of a minor who had been convicted of a crime and who under the statute would be sentenced to the reform school instead of to the penitentiary. In other words, does not the language here used give to an adult who may be convicted of a crime a right of review by the Supreme Court in the first instance, while a minor who is convicted of a similar crime would be denied that right?

The number of sections in this proposal has been very substantially reduced in the draft here presented. This change has been made for two reasons: First, because the number of sections in the reference draft is large compared to any other article in the Constitution; and second (and chiefly), because the various provisions which concern the courts (other than the Supreme Court) can best be expressed by consolidating the provisions affecting each court or class of courts into a single section.

Report No. 19.

YOUR COMMITTEE ON PHRASEOLOGY AND STYLE, TO WHICH WAS REFERRED A PROPOSAL ENTITLED, EXECUTIVE DEPARTMENT (INTRODUCTION NO. 369, REFERENCE NO. 9), AS AMENDED IN COMMITTEE OF THE WHOLE, RESPECTFULLY REPORTS THAT IT HAS CONSIDERED SUCH PROPOSAL AND HEREWITH SETS FORTH IN PARALLEL COLUMNS SAID PROPOSAL AS ADOPTED IN COMMITTEE OF THE WHOLE ON THE LEFT, AND A SUBSTITUTE THEREFOR AS RECOMMENDED BY THIS COMMITTEE ON THE RIGHT.

RESOLVED, *That the following shall become a part of the Constitution of Illinois:*

Section 1. The Executive Department shall consist of a Governor, Lieutenant Governor, Secretary of State, Attorney General, Treasurer, Auditor of Public Accounts, and Superintendent of Public Instruction, who shall, each hold his office for the term of four years from the second Monday of January next after his election, and until his successor is elected and qualified. They shall, except the Lieutenant Governor, reside at the seat of government during their term of office, and keep the public records, books and papers there, and shall perform such duties as may be prescribed by law.	Section 1. The Executive Department shall consist of a Governor, Lieutenant Governor, Secretary of State, Attorney General, Treasurer, Auditor of Public Accounts, Superintendent of Public Instruction and such other officers as provided by law. The officers named in this section shall be elected for terms of four years from the second Monday in January after their election. Except the Lieutenant Governor, they shall reside at the seat of government during their terms. The public records and papers of the Executive Department shall be kept at the seat of government.
Section 2. The Treasurer shall be ineligible to said office for four years next after the end of the term for which he was elected, or appointed. He may be required by the Governor to give reasonable additional security, and in default of so doing his office shall be deemed vacant.	Section 4. No State Treasurer shall again hold that office within four years after his term expires. He may be required by the Governor to give reasonable additional security, and in default of so doing his office shall be deemed vacant.
Section 3. An election for Governor, Lieutenant Governor, Secretary of State, Attorney General, Treasurer and Auditor of Public Accounts shall be held on the Tuesday next after the first Monday of November, in the year of our Lord one thousand nine hundred and twenty-four, and every four years thereafter; for Superintendent of Public Instruction on the Tuesday next after the first Monday of November, in the year one thousand nine hundred and twenty-two and every four years thereafter.	(NOTE—To be put in schedule if considered necessary.) After the adoption of this Constitution the first election for Governor, Lieutenant Governor, Secretary of State, Attorney General, Treasurer, and Auditor of Public Accounts, shall be held in 1924, and the first election for Superintendent of Public Instruction in 1922.

Section 4. The returns of every election for the above named officers shall be sealed up and transmitted, by the returning officers, to the Secretary of State, directed to "The Speaker of the House of Representatives," who shall immediately after the organization of the House, and before proceeding to other business, open and publish the same in the presence of a majority of each House of the General Assembly, who shall for that purpose, assemble in the hall of the House of Representatives. The person having the highest number of votes for either of said offices shall be declared duly elected; but if two or more have an equal, and the highest number of votes, the General Assembly shall, by joint ballot, choose one of such persons for said office. Contested elections for all of said offices shall be determined by both Houses of the General Assembly, by joint ballot, in such manner as may be prescribed by law.

Section 2. The election returns for officers of the Executive Department shall be sealed and transmitted by the returning officers to the Secretary of State, directed to the Speaker of the House of Representatives. Before the House proceeds to other business, and immediately after its organization, the Speaker shall open and publish such returns in the presence of a majority of each House assembled in the hall of the House of Representatives, and then declare elected to each office the person so shown to have the highest number of votes therefor. The General Assembly by ballot in joint session shall determine contested elections for such offices, and in case of tie shall choose in like manner one of the persons tied.

Section 5. No person shall be eligible to the office of Governor, or Lieutenant Governor, who shall not have attained the age of thirty-five years, and been, for ten years next preceding his election, a citizen of the United States and of this State. Neither the Governor, Lieutenant Governor, Secretary of State, Attorney General, Auditor of Public Accounts, nor Superintendent of Public Instruction shall be eligible to any other office during the period for which he shall have been elected.

Section 3. The Governor and Lieutenant Governor each shall be at least thirty-five years of age and a citizen of the State for ten years next before his election. No elective officer of the Executive Department shall hold another office during the period for which he is elected.

Section 6. The supreme executive power shall be vested in the Governor, who shall take care that the laws be faithfully executed.

Section 5. The supreme executive power shall be vested in the Governor, who shall take care that the laws are faithfully executed. Each officer of the Executive Department shall perform such duties as are prescribed by law.

Section 7. The Governor shall, at the commencement of each session, and at the close of his term of office, give to the General Assembly information, by message, of the condition of the State, and shall recommend such measures as he shall deem expedient. He shall account to the General Assembly, and accompany his message with a statement of all moneys received and paid out by him from any funds subject to his order, with vouchers, and, at the com-

Section 6. At the commencement of each regular session and at the close of his term, the Governor shall account to the General Assembly for all funds subject to his order, shall inform it of the condition of the State and recommend such measures as he deems expedient.

At the commencement of each regular session the Governor shall present estimates of the money required for all purposes during the succeeding two years.

mencement of each regular session present estimates of the amount of money required to be raised by taxation for all purposes.

Section 8. The Governor may, on extraordinary occasions, convene the General Assembly, by proclamation, stating therein the purpose for which they are convened; and the General Assembly shall enter upon no business except that named in the proclamation or in one subsequent public proclamation or message to the General Assembly issued by the Governor during said special session.

Section 9. In case of a disagreement between the two Houses with respect to the time of adjournment, the Governor may, on the same being certified to him by the House first moving the adjournment, adjourn the General Assembly to such time as he thinks proper, not beyond the first day of the next regular session.

Section 10. The Governor shall nominate, and by and with the advice and consent of the Senate (a majority of all the Senators elected concurring, by yeas and nays) appoint all officers whose offices are established by this Constitution, or which may be created by law, and whose appointment or election is not otherwise provided for; and no such officer shall be appointed or elected by the General Assembly: Provided, however, that the appointment of notaries public need not be confirmed by the Senate.

Section 11. In case of a vacancy, during the recess of the Senate, in any office which is not elective, or in case the Senate is not in session

Section 7. The Governor may convene the General Assembly by proclamation on extraordinary occasions; but it shall enter upon no business save that stated in the proclamation or in one message issued by the Governor during the session.

Section 8. If the two Houses disagree as to time of adjournment, the Governor, upon receiving a certificate of such disagreement from either House, may adjourn the General Assembly to any time not beyond the first day of the next regular session.

Section 9. The Governor shall nominate, and with the consent by yea and nay vote of a majority of those elected to the Senate, shall appoint all officers whose appointment or election is not otherwise prescribed by law.

If a vacancy exists during the recess of the Senate in any office where the appointing power is vested in the Governor, subject to the consent of the Senate, the Governor shall make a temporary appointment until the next meeting of the Senate, when he shall nominate some person for the office.

No person rejected by the Senate shall be nominated again for the office at the same session, save upon request of the Senate; or be appointed to the office during the recess of the Senate.

No officer shall be elected or appointed by the General Assembly; or by the Senate or the House of Representatives, except the officers of the two Houses.

The appointment of notaries public shall not require confirmation by the Senate.

when an act creating an appointive office takes effect, the Governor shall make a temporary appointment until the next meeting of the Senate, when he shall nominate some person to fill such office; and any person so nominated, who is confirmed by the Senate (a majority of all the Senators elected concurring by yeas and nays), shall hold his office during the remainder of the term, and until his successor shall be appointed and qualified. No person, after being rejected by the Senate shall be again nominated for the same office at the same session, unless at the request of the Senate, or be appointed to the same office during the recess of the General Assembly.	(Combined with Section 9 above.)
Section 12. The Governor shall have power to remove any officer whom he may appoint, in cases of incompetency, neglect or duty, or malfeasance in office; and he may declare his office vacant, and fill the same as is herein provided in other cases of vacancy.	Section 10. The Governor may remove any officer whom he may appoint, for incompetency, neglect of duty or malfeasance in office.
Section 13. The Governor shall have power to grant reprieves, commutations and pardons, after conviction, for all offenses, either unconditionally or upon such conditions and with such restrictions and limitations as he may think proper, subject to such regulations as may be provided by law relative to the manner of applying therefor.	Section 11. The Governor may grant reprieves, commutations and pardons, after conviction, for all offenses, upon such terms as he thinks proper; but the manner of applying therefor may be regulated by law.
Section 14. The Governor shall be commander-in-chief of the military and naval forces of the State (except when they shall be called into the service of the United States); and may call out the same to execute the law, protect life or property, suppress insurrection, and repel invasion.	Section 12. The Governor shall be commander-in-chief of the armed forces of the State (except when they are in the service of the United States) and may call them out to execute the law, protect life or property, suppress insurrection, or repel invasion.
Section 15. The Governor, and all civil officers of the State, shall be liable to impeachment for any misdemeanor in office.	(This section has not been changed but has been transferred to Section 25 of the Legislative Article.)
Section 16. Every bill passed by the General Assembly shall, before it becomes a law, be presented to the Governor. If he approve, he shall sign it, and thereupon it shall become a law; but if he do not approve, he shall return it with his objections, to the House in which it shall have	Section 13. Every bill passed by the General Assembly shall be presented to the Governor, and if signed by him shall thereupon become law. At the time of signing an appropriation bill the Governor may disapprove any section or item thereof by appending to the bill a statement

originated, which House shall enter the objections at large upon its journal and proceed to reconsider the bill. If then two-thirds of the members elected agree to pass the same, it shall be sent, together with the objections, to the other House, by which it shall likewise be reconsidered; and if approved by two-thirds of the members elected to that House, it shall become a law notwithstanding the objections of the Governor; but in all such cases the vote of each House shall be determined by yeas and nays to be entered upon the journal.

Bills making appropriations of money out of the treasury shall specify the objects and purposes for which the same are made, and appropriate to them respectively their several amounts in distinct items and sections, and if the Governor shall not approve any one or more of the items or sections contained in any bill, but shall approve the residue thereof, it shall become a law as to the residue in like manner as if he had signed it. The Governor shall then return the bill, with his objections to the items or sections of the same not approved by him, to the House in which the bill shall have originated, which House shall enter the objections at large upon its journal, and proceed to reconsider so much of said bill as is not approved by the Governor. The same proceedings shall be had in both Houses in reconsidering the same as is hereinbefore provided in case of an entire bill returned by the Governor with his objections; and if any item or section of said bill not approved by the Governor shall be passed by two-thirds of the members elected to each of the two Houses of the General Assembly, it shall become part of said law notwithstanding the objections of the Governor. Any bill which shall not be returned by the Governor within ten days (Sundays excepted) after it shall have been presented to him shall become a law in like manner as if he had signed it, unless the General Assembly shall, by their adjournment prevent its return, in which case it shall be filed with his objections in the office of the Secretary of State, within thirty days after such adjournment, or become a law. of his objections. If the Governor does not approve a bill, or if he disapproves an appropriation bill in part, he shall return the bill with his objections to the House where it originated. If thereafter such disapproved bill, or any disapproved section or item of an appropriation bill is again approved by two-thirds of the members elected to each House, the bill or such section or item of an appropriation bill shall become law notwithstanding the objections of the Governor. Any disapproved bill or disapproved part of an appropriation bill shall be reconsidered first in the House where the bill originated and then sent, with the objections of the Governor, to the other House. Each House before reconsidering shall enter the Governor's objections at large upon its journal.

Any bill which is not returned by the Governor within ten days (Sundays excepted) after it is presented to him shall thereupon become law as if he had signed it; but if the General Assembly by adjournment prevents its return, the bill shall become law at the end of thirty days after such adjournment, unless within that time the Governor files the bill and his objections with the Secretary of State.

Section 17. In case of the death, conviction or impeachment, failure to qualify, resignation, absence from the State, or other disability of the Governor, the powers, duties, and emoluments of the office for the residue of the term, or until the disability shall be removed, shall devolve upon the Lieutenant Governor.

Section 14. If the office of Governor becomes vacant the Lieutenant Governor shall become Governor for the residue of the term. If the Governor fails to qualify, is absent from the State, or is under disability, the powers, duties, and emoluments of the office shall devolve upon the Lieutenant Governor for the residue of the term, or until the cause which renders the Governor incapable of performing his duties is removed.

If there is no Lieutenant Governor, or if for any of the above causes he is incapable of performing the duties of the office, its powers, duties, and emoluments, shall devolve, first upon the President of the Senate, and after him for like causes upon the Speaker of the House of Representatives; but each of them shall act only until the cause which renders his predecessor incapable of performing the duties of the office is removed, or until the vacancy is filled by election.

Section 18. The Lieutenant Governor shall be president of the Senate, and shall vote only when the Senate is equally divided. The Senate shall choose a president *pro tempore*, to preside in case of the absence or impeachment of the Lieutenant Governor, or when he shall hold the office of Governor.

(This section has been transferred to the Legislative Article, where it properly belongs.) See p. 70.

Section 19. If there be no Lieutenant Governor, or if the Lieutenant Governor shall, for any of the causes specified in Section Seventeen of this article, become incapable of performing the duties of the office, the president of the Senate shall act as Governor until the vacancy is filled or the disability removed; and if the president of the Senate, for any of the above named causes, shall become incapable of performing the duties of Governor, the same shall devolve upon the Speaker of the House of Representatives.

(Combined with Section 14 above.)

Section 20. If the office of Secretary of State, Attorney General, Treasurer, Auditor of Public Accounts, or Superintendent of Public Instruction shall be vacated by death, resignation or otherwise, it shall be the duty of the Governor to fill the same by appointment, and the appointee shall hold his office

Section 15. If the office of Secretary of State, Attorney General, Treasurer, Auditor of Public Accounts or Superintendent of Public Instruction becomes vacant, the Governor shall fill the vacancy by appointment until a successor is elected and qualified.

until his successor shall be elected and qualified in such manner as may be provided by law.

Section 21. An account shall be kept by the officers of the Executive Department, and of all the public institutions of the State, of all moneys received or disbursed by them, severally, from all sources, and for every service performed, and a semi-annual report thereof be made to the Governor, under oath; and any officer who makes a false report shall be guilty of perjury, and punished accordingly.

Section 16. Each officer of the Executive Department and the chief officer of each public institution of the State shall render, under oath, to the Governor, a semi-annual account of all moneys received or disbursed. At least ten days before the regular session of the General Assembly, such officers shall each report the condition of his office to the Governor, who shall transmit the reports to the General Assembly. Additional reports may be required of these officers by the Governor.

Section 22. The officers of the Executive Department, and of all the public institutions of the State, shall, at least ten days preceding each regular session of the General Assembly, severally report to the Governor, who shall transmit such reports to the General Assembly, together with the reports of the judges of the Supreme Court of defects in the Constitution and laws; and the Governor may at any time require information, in writing under oath, from the officers of the Executive Department, and all officers and managers of State institutions, upon any subject relating to the condition, management and expenses of their respective offices.

(Combined with Section 16 above.)

Section 23. There shall be a seal of the State, which shall be called the "Great Seal of the State of Illinois," which shall be kept by the Secretary of State, and used by him officially as directed by law.

Section 17. There shall be a Great Seal of the State of Illinois, to be kept and used by the Secretary of State as directed by law.

Section 24. The officers named in this article shall receive for their services a salary, to be established by law, which shall not be increased or diminished during their official terms, and they shall not receive to their own use any fees, costs, perquisites of office, or other compensation. And all fees that may hereafter be payable by law for any services performed by any officer provided for in this article of the Constitution shall be paid in advance into the State treasury.

Section 18. The officers of the Executive Department shall be paid salaries and shall receive to their own use no other compensation; and all fees, costs, perquisites of office or other compensation received by them shall be paid at once into the State treasury.

All fees or costs payable by law for services performed by any officer of the Executive Department shall be paid in advance.

Section 25. Every person who is elected or appointed to any office in this State, who shall be paid in whole or in part by fees, shall be required by law to make a semi-annual report, under oath, to some officer to be designated by law, of all his fees and emoluments.	Section 19. (NOTE—To be put in Section on OFFICERS.) Every officer in this State who is paid in whole or in part by fees shall make a semi-annual report thereof, under oath, to some official to be designated by law.
Section 26. No person who is in default as collector or custodian of public money or property shall be eligible to any elective or appointive office. The fees, salary or compensation of no officer who is elected or appointed for a definite term of office shall be increased or diminished during such term.	(NOTE—The first part of this section is incorporated in Section 4 of the Legislative Article. The second part of this section is incorporated in Section 21 of the Legislative Article.)
Section 27. An office is a public position, created by the Constitution or law, continuing during the pleasure of the appointing power, or for a fixed time, with a successor elected or appointed. An employment is an agency, for a temporary purpose, which ceases when that purpose is accomplished.	Section 20. (No change suggested.)
Section 28. All civil officers, except members of the General Assembly and such inferior officers as may be by law exempted, shall, before they enter on the duties of their respective offices, take and subscribe the following oath or affirmation: "I do solemnly swear (or affirm, as the case may be) that I will support the Constitution of the United States, and the Constitution of the State of Illinois, and that I will faithfully discharge the duties of the office of .....according to the best of my ability." And no other oath, declaration or test shall be required as a qualification.	Section 21. (No change suggested.)
Section 29. The Auditor of Public Accounts, in addition to his duties prescribed by law, shall be required to establish a uniform system of accounts for all county, town and school officers, and to supervise such system and to audit the accounts of such officers.	Section 22. A uniform system of accounts for all county, town and school officers shall be established and supervised by the Auditor of Public Accounts and their accounts shall be audited by him.

Respectfully submitted,

ELAM L. CLARKE, *Chairman.*
THOS. RINAKER.
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EDWARD H. BREWSTER.
Committee on Phrascology and Style.

IN RE PROPOSAL NO. 369.

Memorandum from Committee on Phraseology and Style, Accompanying Report on Proposal No. 369, being a Proposal Entitled Executive Department.

Section 1. This section of the reference draft is taken without change from the present Constitution, except that the term of the Treasurer has been changed from two years to four years. In 1870 the section was entirely rewritten and changed substantially from the form previously found in the Constitution.

If the section is analyzed it will be found to contain the following ideas:

1. It names the officers constituting the Executive Department.
2. It provides indirectly for their election.
3. It fixes their terms at four years.
4. It fixes the date on which they take office.
5. It requires them (except the Lieutenant Governor) to reside at the seat of government.
6. It requires the public records, books and papers to be kept at the seat of government.
7. It requires the officers named to perform such duties as are prescribed by law.

All of these ideas are grouped into a single paragraph in the reference draft. From the point of view of unity the section should logically consist of three paragraphs. The first paragraph should organize the Executive Department by naming the officers of which it consists; the second paragraph should give the various limitations affecting these officers; the third paragraph should contain the provision as to the public records, books and papers. The section has accordingly been revised on this basis.

It will be noted that the reference draft provides that the Executive Department shall "consist" of the seven officers named in the section. Under proper rules of constitutional construction this provision is inclusive, since the maxim *expressio unius est exclusio alterius* is applicable. The section specifies the seven officers who are to constitute the department, and by implication no other officers may be added. In 1870 the section correctly expressed the facts as to the Executive Department, since there were no other executive officers than those named in the section. However, the business of the State has been broadened and increased during the fifty years that have elapsed since that time and new offices have been created which are executive in character, but which cannot be properly brought within the narrow limits of this section. Thus there may be mentioned the Public Utilities Commission, the State Tax Commission and the various departments organized under the Civil and Administrative Code. Accordingly it seems necessary to revise this section so that it will include such other executive offices as the General Assembly sees fit to create from time to time. It is interesting to note

that the proposed new Constitution for Pennsylvania recognizes this development in State government. The present Constitution in that State, which was adopted in 1873, copied almost verbatim the wording of this section of the Constitution of Illinois. In the proposed new Constitution for Pennsylvania, however, the words "and in other executive officers as prescribed by law" have been added. (Section 1, Article IV.) This provision has accordingly been revised along the lines here suggested.

The provisions contained in numbers 2, 3 and 4 as above outlined have been incorporated in the second paragraph of the section as revised. The provision as to election of the officers named and the provision as to their terms of office have been made more direct and specific. The provision of the reference draft that each of these officers shall hold office "until his successor is elected and qualified" has been dropped, because it is covered by the uniform provision affecting all State officers to be inserted elsewhere in the Constitution. (See Judiciary Proposal, Section 52, as revised.) It should be noted that the limitations of this paragraph of the section as revised affect only the officers named in the section, and are not applicable to the offices which may be created by statute. The various limitations affecting the latter offices should properly appear in the particular statute creating them and not in the Constitution.

The provision as to residence of these officers has been retained in a shorter form, but without change in meaning.

The provision as to public records, books and papers has been put in a separate paragraph, since it involves a distinct subject-matter of its own. The words "public records and papers" have been used as the equivalent of "public records, books and papers."

The wisdom of retaining this provision in the Constitution is questionable. The provision first appeared in the Constitution of 1870 and was there adopted without discussion. (See Debates 1870, p. 760.) It was copied from the Constitution of Indiana (Article VI, Section 5), adopted in 1851, where it appeared for the first time in any state Constitution. Similar provisions have since been copied into the Constitutions of a number of western states (see list of states in Index Digest, New York Constitutional Convention 1915, p. 1202); but more than two-thirds of the states of the Union have no such provisions in their Constitutions. In the fifty years since its adoption in this State it has not been construed by the courts and its meaning is obscure. What are included in the "public records, books and papers"? Does it require *all* the records, books and papers of these offices to be kept at Springfield? A number of the officers mentioned in this section maintain branch offices in the city of Chicago, where it is found convenient and probably necessary to keep a large portion of the records and documents of the particular office. Thus the Attorney General's office maintains a branch office in Chicago, having to do with inheritance taxes. The Auditor's office, and a number of the departments organized under the Civil and Administrative Code, keep branches in that city and have certain records there. The provision has never been observed in actual practice and

probably cannot be observed without seriously hampering the work of the State government. The provision seems unnecessary, and even dangerous, and accordingly its omission from the Constitution is suggested. If the provision is to be retained it should be limited to the "books and records" of the Executive Department. This point, which is not clear in the reference draft, has been made clear in the provision as revised.

The last clause of the reference draft, being provision number 7 as above outlined, has been transferred to Section 5 of this article, where it is discussed.

Section 2. This section of the reference draft has been taken without change from the present Constitution, except that the clause as to the two year term of the Treasurer has been dropped. The section contains two ideas:

1. It provides that the Treasurer shall not succeed himself for four years after his term expires.

2. It provides that the Governor may remove the Treasurer if that officer does not furnish "reasonable additional security."

The first provision as revised has been shortened and condensed, but its meaning remains the same. The word "term" includes either an appointive or elective term if nothing is said on the point, and accordingly the words "for which he was elected and appointed" have been dropped.

The second provision as above outlined appeared in the Constitution for the first time in 1870. The provision was inserted at that time because the Convention was in doubt as to the validity of a statute passed in 1845 (Hurd's Revised Statutes, Chap. 130, Sec. 3), giving the Governor the power here in question. (See Debates 1870, pp. 809, 824.) That Convention, however, was ill advised, since the General Assembly had full power to pass such a statute. A similar statute (Hurd's Revised Statutes, Chap. 15, Sec. 3), gives the Governor the same power to remove the Auditor, although the Constitution is silent on the point, and no question as to the validity of that statute has ever been raised.

The wisdom of including such a provision in the Constitution may be questioned on several grounds:

1. In the half century since the provision was placed in the Constitution it has never been acted upon by the Governor and has never been construed by the courts.

2. The provision is silent as to who determines whether "additional security" is necessary, and also as to when the Treasurer is in default in regard to the demand of the Governor. If these questions are to be determined by the Governor, his discretion in the matter is not subject to review. Such a provision therefore practically makes the Treasurer removable at the arbitrary decision of the Governor.

3. The Constitution does not regulate the amount of the Treasurer's original bond; that is left to the General Assembly and that body has acted on the point. (Hurd's Revised Statutes, Chap. 130, Section 1.) It is obviously incongruous for the Constitution to give the Governor control over the "additional security" required of the Treasurer and

to leave to the General Assembly the question of what the security is to be in the first instance.

4. As already indicated, there is no such constitutional provision affecting the bond of the Auditor, and yet the General Assembly has passed a statute giving the same power to the Governor over the Auditor's bond. Here again it is illogical for the Constitution to contain such a provision affecting the Treasurer and leave to the General Assembly the power to control the Auditor's bond. The Constitution should either contain both provisions or omit both provisions.

Accordingly it is suggested that the provision in question be dropped from the section. However, if the Convention decides to retain the provision, it can be retained in the same form as the reference draft.

The number of this section has been changed in the article as revised for reasons which are apparent.

Section 3. This section is the same as the provision in the present Constitution, except that the years mentioned have been changed to bring the section down to date. The section contains the following ideas:

1. It requires an election for the officers named, who are the same officers as those named in the first section.
2. It fixes November as the month in which the election shall occur.
3. It requires six of these officers to be elected in 1924 and one in 1922.
4. It contains an indirect provision for a four year term for all officers by requiring an election "every four years."

The first provision as thus outlined is clearly covered by Section 1. The second provision has been covered by the proposed new article on Suffrage and Election, which fixes a single election in November each year. The third provision is probably unnecessary, because the officers now in office will automatically go out of office on those dates and successors will automatically be elected to succeed them on those dates. However, a provision has been suggested which may be put in the schedule, if that is felt necessary. The last provision as above outlined is merely a repetition of the provision in Section 1 as to a four year term for all these officers. In view of the explanations made this section may be omitted.

Section 4. This section also is taken without change from the present Constitution. In 1870 the Convention revised and modified in a substantial way the form of the section as it had appeared since 1848.

If the section is analyzed it will be found to contain the following ideas:

1. Election returns for officers of the Executive Department must be forwarded to the Secretary of State, addressed to the Speaker of the House.
2. That officer must open and publish the returns.
3. This must be done immediately after the organization of the Houses.

4. It must be done in the hall of the House of Representatives in the presence of a majority of each House.

5. The person shown to have been elected for each office by the returns shall then be declared elected.

6. In case of tie, the General Assembly, by joint ballot, shall choose for the office one of the persons tied.

7. The General Assembly shall also determine in the same way contested elections.

In the reference draft the section is expressed in long and unwieldy sentences which are not logically constructed as to subject-matter. From the point of view of unity it would seem that the section should be expressed in three sentences; first, a sentence containing the provision as to election returns; second, a sentence containing the provision as to opening and publishing the returns and declaring the persons elected who are shown to have been elected; third, a sentence containing the provisions as to tie votes and contested elections. The section as revised accordingly follows this scheme.

It is apparent from the context of the section that the Speaker is merely the agent and voice of the two Houses in carrying out the provisions of the section. There are two duties to be performed by him: First, the election returns are to be opened and published; and second, the persons, showns to be elected by the returns are to be declared elected. The latter provision is vague in the reference draft because it is expressed in the passive voice, and because it is not made the specific duty of a particular person to make the declaration in question. The declaration must of course be based on the returns and cannot be an arbitrary one. Accordingly the words "so shown" have been added in the section as revised, and it has been made the duty of the Speaker, first, to open and publish the returns, and then to declare the persons elected.

In the last sentence the words "if two or more have an equal and the highest number of votes" have been revised to read "in case of tie." The phrase "tie vote" is now often found in the law (see for example, 20 C. J. 208), although these words do not seem to have been in common use a century ago when the idea of this provision first appeared. The word "tie" used as a verb is defined as, "to make or have an equal score with in a contest." (See Webster's International Dictionary.) Used as a noun, the word is defined as "a state of equality among competing or opposed parties, as when two candidates receive an equal number of votes." (See Century Dictionary.) In Bouvier's Law Dictionary (Rawles Revision, Vol. 3, p. 3277) the definition given is as follows:

"When two persons receive an equal number of votes at an election there is said to be a tie."

Accordingly the shorter phrase is in all respects the equivalent of the longer one and may be substituted for it.

As revised, the section is shorter and more definite than the reference draft and each of the provisions as above outlined has been expressed without change in meaning. This section has been made Section 2 of the article, because it affects all officers of the department and logically belongs after the provisions found in the first section.

Section 5. Here again the section in the reference draft is taken without change from the present Constitution. In 1870, however, the Convention changed the section in substantial respects from the form in which it had previously existed.

The first sentence of the section contains two limitations affecting the Governor and Lieutenant Governor:

1. They shall each be over 35 years of age.
2. They shall each be a citizen of the State and of the United States for ten years next before their election.

The phrase "a citizen of the United States" has been dropped since a person who is a citizen of the State is of necessity a citizen of the United States. (See Federal Constitution, Article XIV, Section 1; see also Slaughter House cases, 83 U. S. 36, p. 126.)

As thus revised, the sentence contains all of the ideas of the reference draft stated in a shorter and simpler form.

The second sentence of the section makes the officers mentioned (except the Treasurer) "ineligible" for any other office during the period for which they are elected. It is difficult to find any basis for excepting the Treasurer from this limitation. The provision first appeared in the Constitution of this State in 1870. (Debates 1870, pp. 760-774.) There was no discussion at that time as to why the Treasurer was left out of the provision, and indeed the implication from Section 2 of the reference draft would seem to argue against leaving him out. Accordingly the sentence has been revised so that it affects all the officers mentioned, including the Treasurer. If this change is not in accordance with the wishes of the Convention the provision can be restored to its original form by simply adding the words "except the Treasurer" after the word "department."

The words "eligible to any other office" are unfortunate, since it does not appear whether the language used means eligible at the time of the election or eligible at the time of taking office. The provision has been revised so that the test of eligibility is to be applied at the time of taking office and not at the time of election.

Section 6. This section of the reference draft contains two ideas:

1. The supreme executive power is vested in the Governor.
2. The Governor shall take care that the laws are faithfully executed.

Both of these provisions have appeared in the Constitution since 1818. The only change made by the Convention of 1870 was to add the word "supreme" where it appears in the first provision.

In the second provision the verb "be * * * executed" is used in the subjunctive mood. In accordance with the uniform policy adopted by this committee this verb has been expressed in the indicative mood.

The second sentence of the section as revised is taken from the last clause of the first section of the reference draft. The section here involved deals with the exercise of the executive power and the provision logically belongs in this section rather than in Section 1.

Section 7. Here again the section in the reference draft is in the same form as in the present Constitution. The Convention of 1870 sub-

stantially modified and amplified the duties of the Governor compared to what they had been before that time.

The section contains four mandates on the Governor:

1. He is required to give the General Assembly information as to the condition of the State.

2. He is required to recommend measures which he deems expedient.

3. He is required to account to the General Assembly for moneys subject to his order.

4. He is required to present estimates of the amount of money required to be raised by taxation.

The first two provisions are in the classical form found in most State Constitutions and have appeared in the Constitution of this State without change since 1818. These provisions are copied from a similar provision in the Federal Constitution (Section 3, Article II), affecting the duties of the President. No material change has been made in these provisions as revised.

The third provision was added to the Constitution in 1870. It will be noted that the provision does not specify the times when the Governor shall account, but in other respects it gives no difficulty. It seems to be implied from the section that the Governor shall account at the same times mentioned in the first sentence; that is, at the beginning of each regular session and at the close of his term. At any rate, that construction has been put upon the provision by the Governors of the State in the past. (See for example, Message of Governor Deneen, Senate Journal 1913, p. 136, also Message of Governor Dunne, Senate Journal 1915, p. 69.) Accordingly this point has been made specific in the section as revised.

The first three provisions as above outlined have been put in a single sentence, since they may be logically so expressed, in a form that is short and clear. The provision as to accounting has been put first because the words "General Assembly" must otherwise be repeated in the sentence.

The fourth provision as above outlined was also new in the Constitution of 1870. At that time the theory of governmental budgets, which has been developed in recent years, had not yet been devised. During the last two decades a number of states have adopted a systematic scheme for the preparation of a governmental budget. Some of the states have provided for a budget system by statute, while other states have incorporated budget provisions in their Constitutions. Thus Alabama in 1901 adopted a provision in its Constitution (Article IV, Section 70) making it the duty of the Governor, the Auditor and the Attorney General to "prepare a general revenue bill" for each regular session. Other states have constitutional provisions of a less specific character, somewhat along the line of the provision in the present Constitution of Illinois. There is still another group of states—and these are the states where the most recent consideration has been given to the subject—in which constitutional provisions as to a budget have either been adopted or have been suggested. The latest provision in any state Constitution is found in Massachusetts, where the following amendment was adopted in 1918:

"Article 63. The Budget. Within three weeks after the convening of the General Court the Governor shall recommend to the General Court a budget which shall contain a statement of all proposed expenditures of the Commonwealth for the fiscal year, including those already authorized by law, and of all taxes, revenues, loans and other means by which such expenditures shall be defrayed. This shall be arranged in such form as the general court may by law prescribe, or, in default thereof, as the Governor shall determine. For the purpose of preparing his budget, the Governor shall have power to require any board, commission, officer or department to furnish him with any information which he may deem necessary."

It will be noted that this provision, although not long, is comprehensive and specific. The duties of the Governor, and his control over the various State officers and departments are fully expressed; and the provision is made self executing—no legislation being required.

The proposed Constitution of New York, which was defeated for ratification in 1915, contained a long and elaborate provision for a budget. The matter was considered of such importance by the Convention in that state that a separate article was given to it. (Article V.) The provision is too long to quote in this memorandum, but an abstract of the article which was submitted to the people at the same time, may properly be given here, since it discusses the theory of constitutional budgets in a clear and intelligent fashion.

"Abstract. This new article makes the following changes: At present no official budget or comprehensive financial program exists in this state, corresponding to everyday business practice. The financial needs of government are met by appropriations passed by the legislature from time to time in different bills, which are separately submitted to the Governor for his approval or veto. The new article is intended to introduce business-like methods into the state's affairs through an annual budget or comprehensive fiscal plan. The Governor is to receive in November of each year from each department except the legislature and the judiciary itemized estimates showing the financial needs of such department for the ensuing year. After public hearings on such estimates, and after revising them, and after receiving but not revising similar estimates of the legislature and judiciary, the Governor on or before the first of each February, shall submit to the legislature all of such estimates, together with proposed appropriation bills and any proposed new measures of taxation, as part of a comprehensive financial plan for the state's business during the ensuing year. Such plan will show the estimated revenues for such year, and will give particulars, as to the state's financial condition for the preceding two years, for purposes of comparison in examining the budget. Provision is made for the Governor and heads of departments meeting with the legislature in discussion of the budget and answering inquiries. The legislature may reduce or strike out but not increase budget items; and shall not consider special appropriation bills of its own until after the budget has been disposed of. The Governor

retains his veto power as heretofore as to all appropriation items except as to those revised and approved by him beforehand as above specified."

This abstract shows the full manner in which the New York Convention decided to treat the matter of a budget in the Constitution of that state.

Another state which has followed the example of Massachusetts and New York, is Pennsylvania. The present Constitution of that state was adopted in 1873; it has no provision for a budget, or even for the submitting of "estimates" by the Governor. The proposed new Constitution submitted to the General Assembly of that state in January, 1921, contains a detailed provision for a budget system, as follows:

"Budget and Appropriation Bills."

"Article III, Section 12. The Governor shall submit to the General Assembly a budget on or before March 1 of each year in which it shall be in regular session. The budget shall contain a complete plan of proposed appropriations and complete estimates of the revenues and funds available for appropriation for the two ensuing fiscal years, including appropriations for charitable, educational and benevolent purposes. In submitting proposals for appropriations to charitable, educational or benevolent institutions not under the absolute control of the state government, the Governor shall at the same time submit a plan of distribution among the classes of institutions to be benefited.

When the Governor presents the budget to the House of Representatives, he shall submit a general appropriation bill containing the proposed appropriations for the fiscal years covered by the budget and may also submit any bill embodying recommendations as to sources of revenue.

The presiding officer of the House of Representatives shall immediately cause such bills to be introduced.

The General Assembly may increase, decrease, strike out or otherwise alter any item in the general appropriation bill, or may add new items thereto.

Until the general appropriation law has been enacted neither house shall consider an appropriation bill other than the general appropriation bill unless the appropriation bill be solely for the immediate needs of the General Assembly or unless the Governor shall request the General Assembly to act upon the bill in advance of the general appropriation bill.

After the general appropriation law has been enacted, no appropriation shall be made for any purpose, object or item included therein or in the general appropriation bill as submitted by the Governor, unless the Governor shall request the General Assembly to pass a bill making such appropriation.

The General Assembly shall not finally adjourn for ten days after the general appropriation bill has been presented to the Governor."

It will thus be seen that in three of the leading states of the Union the opinion prevails that a detailed constitutional provision as to a "budget" is desirable.

In Illinois an effort has been made to secure a governmental budget by statute. (See act of March 7, 1919, Hurd's Revised Statutes, 1919, Chap. 24½.) This act, however, seems to be in conflict, at least superficially, with the constitutional provision here under discussion, in several respects. In the first place, the act is much wider in its scope than the constitutional provision, and the question arises whether the provision in the Constitution is not by implication a limitation on the Governor and the General Assembly. In other words, it may be argued that the constitutional duties imposed on the Governor cannot be enlarged by statute, nor can those duties or similar duties be imposed on any other State officer. In the second place, the act requires the Governor to submit the "budget" two weeks after the General Assembly convenes, while the Constitution requires him to submit his "estimates" at the beginning of the session. In the third place, under the Constitution the Governor is given no authority to call upon the other officers of the Executive Department to assist him in preparing his "estimates"; while the statute attempts to make it the duty of these officers to assist the Governor in the preparation of the "budget." No question has been raised in the courts as to the constitutionality of the present Budget Act, but it is obvious from what has been said that there are certain discrepancies between the act and this constitutional provision which may some day give trouble.

The point to be remembered is that the General Assembly would seem to have ample power to pass an adequate Budget Act if the provision of the Constitution here in question were omitted. Under Section 1 of this article (Section 5 as revised) the Governor and all other officers of the Executive Department are required to "perform such duties as are prescribed by law." Under this provision the officers of the Executive Department would no doubt be required to assist the Governor in preparing a budget, as the present statute provides. On the other hand, the specific provision of the Constitution as to "estimates" concerns only the Governor.

The Convention of 1870 no doubt adopted this provision as to "estimates" for the purpose of assisting the General Assembly in its work, and for the purpose of securing better methods of State finance. It will be apparent from what has been said that the opposite result is likely to follow if the provision here under discussion is retained in the Constitution in its present form. As revised, the provision expresses the full intention of the reference draft. But the conclusion to be drawn is that, if the Constitution is to contain a provision as to a budget, the provision should be wide and liberal. The only other safe course is to remove the provision entirely from the Constitution and thereby permit the General Assembly to establish an adequate budget system by statute.

Section 8. This section in the present Constitution is in the same form as it appeared in the Constitution of 1848. In the reference draft an amendment has been made permitting the Governor to submit "one

subsequent proclamation or message" to the General Assembly at a special session. If the section is analyzed the power of the Governor to call special sessions will be found to be subject to the following limitations:

1. An "extraordinary occasion" must exist.
2. The Governor must issue a "proclamation" calling the special session.
3. The Governor must state in the proclamation the purposes for which the session is called.
4. The General Assembly must limit its business to the purposes stated in the proclamation.
5. The Governor, however, may submit one additional message to the General Assembly during the special session.

As revised the section expresses all of these ideas in a shorter and simpler form than they appear in the reference draft. The various changes suggested are made for reasons which will be obvious, and they need not be discussed at length.

Section 9. This section in the reference draft is in the same form as it appears in the present Constitution. It has appeared in practically the same form since the first Constitution in 1818, except that the Convention of 1870 inserted the provision as to the certificate of "the House first moving the adjournment."

No change of substance has been made in the section, except to permit either House to certify the fact of disagreement to the Governor. As the section stands in the reference draft, it is only the House first moving the adjournment which can make the certificate. The Debates of 1870 (p. 776), show that the only purpose of the amendment made at that time was to prevent the Governor from exercising an arbitrary discretion in deciding when the two Houses disagreed as to time of adjournment. There was no intention to give either House an advantage over the other in regard to the certificate, and yet the provision as adopted at that time gives such an advantage to one House; because the House "first moving the adjournment" may refuse to issue the certificate and may thus thwart the intention of this provision. As the section has been revised, either House may make the certificate in question.

The minor changes made in the wording of the section are made for reasons which will be obvious and need not be discussed in detail.

Sections 10 and 11. These two sections are both concerned with the appointing power of the Governor. Their provisions logically belong in a single section and they have accordingly been consolidated.

Section 10 of the reference draft is taken without change from the present Constitution—except as to the provision regarding notaries public, which was added as an amendment.

Section 11 in the reference draft is also taken without change from the present Constitution—except that the words "in case the Senate is not in session when an act creating an appointive office takes effect" have been added as an amendment.

If the two sections are analyzed they will be found to contain the following ideas:

1. The Governor shall nominate and appoint all officers whose appointment or election is not otherwise prescribed by law, but the appointment shall require the consent of the majority of the Senate.

2. No officer shall be appointed or elected by the General Assembly.

3. The appointment of notaries public need not be confirmed by the Senate.

4. If a vacancy exists during recess of the Senate in any office where the consent of the State is required for the appointment, the Governor shall make a temporary appointment, to expire with the next meeting of the Senate.

5. The same provision applies to a vacancy existing when an act creating such an appointive office goes into effect during recess of the Senate.

6. In either of the cases last mentioned the Governor must nominate some person for the office at the next meeting of the Senate.

7. The person so nominated and confirmed by the Senate shall hold office during the remainder of the term.

8. Any person rejected by the Senate shall not be nominated for the same office during the same session unless at the request of the Senate.

9. A person rejected by the Senate shall not be appointed to the office during the recess of the Senate.

The first provision contains the substantial grant of appointing power to the Governor. The provision logically belongs in a separate paragraph, and it has been so revised. The language of the reference draft has been shortened and simplified but the meaning of the provision remains unchanged. The detailed changes suggested in phraseology need not be discussed.

Provision No. 4 as above outlined should logically come next, since it concerns the Governor's power of appointment during the recess of the Senate. It is obvious that this power of the Governor should be no broader in scope than the first provision. In other words, under this provision, the Governor's power to make temporary appointments during the recess of the Senate should be limited to the same offices to which he may make appointments with the consent of the Senate during its session. But the language of the reference draft does not reach this result, because the scope of Section 11 is broader than that of Section 10. Section 11 purports to give the Governor the appointing power during the recess of the Senate, over "any office which is not elective." What about offices which are not elective but where the appointing power is vested in some other officer than the Governor—as for example, bank examiners who are appointed by the Auditor without confirmation by anyone. (Hurd's Revised Statutes, Chap. 16A, Sec. 8). The Governor does not have the appointing power over all appointive State offices. (*People* v. *Evans,* 247 Ill. 547, 1910). On the other hand, the General Assembly may create appointive offices to be filled by the Governor without the consent of the Senate; in such cases Section 11 is not concerned. It is obvious from what has been said that the provision in Section 11

as to the appointing power of the Governor during the recess of the Senate is not well expressed. Accordingly provision No. 4 as above outlined has been revised so that it is limited to the offices, where if the Senate were in session its consent would be necessary for the appointment.

Provision No. 5 as above outlined was added as an amendment by the Committee of the Whole. Some doubt has arisen in the past concerning the question here involved. (Debates, June 2, 1920, p. 15). As revised, the section reads "If a vacancy exists during the recess of the Senate." This language covers a "vacancy" arising under a new law as well as a vacancy arising under an existing law. Accordingly the words of the reference draft used to express this provision may be dropped.

Provision No. 2 as above outlined should be construed in connection with Section 15 of the legislative article of the present Constitution, forbidding members of the General Assembly to be appointed to office. It is obvious from the two sections that the General Assembly is prohibited from exercising any power of appointment or election and this prohibition by implication is intended to apply to both the Senate and House of Representatives—except of course for the appointing of the particular officers of the two Houses under Section 9 of the Legislative Article. There is, however, no specific prohibition which prevents the Senate or House of Representatives from being given power to appoint or elect officers; such prohibition is, as already stated, only inferential. Accordingly the provision as revised has been made specific, so that it covers the General Assembly, the Senate and the House of Representatives, with the exception just noted. The provision has been put at the end of the section, since that is its logical place from the point of view of paragraph unity.

The third provision outlined above, affecting notaries public, has been slightly revised without change in meaning.

The seventh provision above outlined is unnecessary. If the officer in question is nominated and confirmed by the Senate it follows as a matter of course that he will hold office until the end of the term. Accordingly this provision has been omitted.

The eighth and ninth provisions above outlined have been revised without substantial change, except to shorten and condense them. The reference draft speaks of a "recess of the General Assembly." This language has been changed to "recess of the Senate," since that is the language used in the first part of the section.

As the two sections have been thus revised they express all the ideas of the reference draft in a form which makes the various provisions easier of comprehension and more definite in their application. It should be observed, however, that the sections do not touch upon all the appointing power of the Governor. The Governor's power of appointment is of five kinds:

1. Original appointments in appointive offices requiring consent of the Senate.

2. Temporary appointments to such offices during the recess of the Senate.

3. Original appointments in appointive offices not requiring consent of the Senate.

4. Appointments to fill vacancies in such offices.

5. Appointments to fill vacancies in elective offices until the office can be filled by election.

It is obvious that the two sections here under consideration are concerned with only the first two kinds of appointment.

Section 12. This section was new in the Constitution of 1870. It has been taken over without change by the reference draft. The section contains the following ideas:

1. The Governor's power of removal is made coextensive with his power of appointment.

2. The power of removal can only be exercised for cause, and the causes are incompetency, neglect of duty and malfeasance in office.

3. The Governor may declare the office vacant when the officer has been removed.

4. The Governor may fill the office as in other cases of vacancy.

The first two provisions have been revised in a somewhat condensed form, but their meaning remains the same.

The third and fourth provisions have been dropped as unnecessary. If an officer is "removed" the office is rendered "vacant," without any declaration to that effect. And it follows as a matter of course that when the office becomes "vacant" the power of the Governor to fill it arises automatically under the previous section.

Section 13. This section is the same as the provision in the present Constitution except that the words "either unconditionally or upon such conditions and with such restrictions and limitations as he may think proper" have been added as an amendment in Committee of the Whole.

The section contains two main ideas:

1. The power of granting reprieves, commutations and pardons is lodged with the Governor.

2. The procedure with reference to applying therefor shall be regulated by the General Assembly.

In the section as revised these two ideas have been expressed in a shorter and clearer form than in the reference draft, but without change in meaning.

Section 14. This section has not been changed except in matters of detail.

The words "military and naval forces of the State" have been changed to "armed forces of the State" in accordance with the consistent language used by this committee throughout its reports.

The future tense of the verb "shall be called" has been changed to the present tense "are called." This is in accordance with the consistent policy adopted by this committee in its reports.

The adjective "same," where it is used as a pronoun, has been omitted. Attention has previously been called to the improper use of this word.

Section 15. This section has been transferred without change to Section 25 of the Legislative Article. That section contains the pro-

visions which govern impeachments, and it should properly contain the jurisdictional provision as to what officers of the State are subject to impeachment.

Section 16. This section of the reference draft is the same as the section in the present constitution.

The historical development of this section is important. The Constitution of 1870 adopted the section in a form which contained about one-half of the substance of the section as it now appears in the Constitution. That Convention copied the section almost verbatim from the Constitution of 1848. The section, however, was not satisfactory and it was amended by the Third Amendment to the Constitution adopted in 1884. That amendment, in substance, added the second paragraph of the section excepting the last sentence.

If the section is analyzed it will be found to refer to the following general matters:

1. All bills passed by the General Assembly shall be submitted to the Governor, and if he signs them they become law.
2. The Governor may disapprove any bill or any part of an appropriation bill.
3. In such event the Governor is required to return the disapproved bill or the appropriation bill disapproved in part, together with his objections, to the House where the particular bill originated.
4. The procedure of the two Houses in regard to bills disapproved by the Governor and in regard to passage over the Governor's veto is given.
5. The Governor is required to return bills within ten days after they are presented to him, or the bills become law without his signature.
6. After the adjournment of the General Assembly, however, the Governor has thirty days within which to return bills to the office of the Secretary of State; otherwise they become law.

These various matters are expressed in a clearer and more logical form in the section as revised.

The provision that "bills making appropriations of money out of the treasury shall specify the use and purpose for which the same are made and appropriate to them respectively their several amounts in distinct items and sections," concerns the General Assembly and not the Governor. It has accordingly been transferred to Section 18 of the Legislative Article, where it is discussed.

The reference draft is obscure as to what happens in case the Governor disapproves certain items of an appropriation bill. Does he sign the bill which he disapproves in part? This uncertainty has been made clear in the section as revised by requiring the Governor to sign such appropriation bill and "append" to the bill a statement of his objections to the particular items or sections.

The procedural provisions affecting the method of reconsideration in both Houses, after the Governor has disapproved a bill, have been shortened and simplified in the provision as revised, but without change in meaning.

The provision that a vote by "yeas and nays" shall be entered upon the journal, is dropped, because under the Legislative Article the "final passage" of all bills requires such a vote and such an entry upon the journal. It seems unnecessary to repeat this provision in this section.

As revised the section contains all the ideas of the reference draft without change in meaning.

Sections 17 and 19. These two sections concern a single subject-matter, namely, the succession to the office of Governor, and they have accordingly been consolidated.

Both of these sections in the reference draft are taken without change from the present Constitution. The Convention of 1870, however, changed and revised each section in substantial respects from the form in which they had previously appeared.

If the two sections are analyzed they will be found to be concerned with fourteen possible contingencies:

1. A permanent vacancy in the office of Governor when the Lieutenant Governor is available to succeed.
2. The same situation when the Lieutenant Governor is not available.
3. A temporary vacancy in the office when the Lieutenant Governor is available.
4. The same situation when the Lieutenant Governor is not available.
5. A permanent vacancy after the Lieutenant Governor has succeeded the Governor when the President of the Senate is available.
6. The same situation when the President of the Senate is not available.
7. A temporary vacancy under the same situation when the President of the Senate is available.
8. The same situation when the President of the Senate is not available.
9. A permanent vacancy after the President of the Senate has succeeded to the office when the Speaker of the House of Representatives is available.
10. The same situation when the Speaker of the House is not available.
11. A temporary vacancy under the same situation when the Speaker of the House is available.
12. The same situation when the Speaker of the House is not available.
13. When the Speaker of the House has succeeded to the office and thereafter the office becomes permanently vacant.
14. The same situation when the office becomes temporarily vacant.

The reference draft is fairly clear in its application to several of these contingencies, but a number of them are not specifically covered by the provisions in the present Constitution. Thus it may be asked, what happens under the present Constitution if the Speaker of the House succeeds the President of the Senate because of temporary dis-

ability? Does the Speaker succeed permanently or does the President of the Senate have the right to again take up the office when the temporary cause of his inability has been removed?

The reference draft also is confusing in its classification of the causes which may give rise to succession. The phrase "in case of the death, conviction on impeachment, failure to qualify, resignation, absence from the State, or other disability," would seem to classify all causes under the one heading of "disability." Such a classification is incongruous for several reasons. In the first place, the Governor cannot properly be said to be under "disability" when he is dead. Nor is he strictly speaking under "disability" when he has resigned. In the third place, if the word "disability" is correctly used it may be said that the Governor is not disabled because of absence from the State. (The President of the United States, under the established precedents, is not disabled when he is absent from the country.) Further criticism of the classification of the reasons for succession given in the reference draft could be made. If these reasons are analyzed it will be found there are four classes of causes which may give rise to succession to the office:

1. Where the office is rendered permanently vacant, as by the death of the incumbent or by his ouster by conviction, or by his resignation.

2. Where the person in the office has been disabled, as by illness, insanity, etc. The disability may be either temporary or permanent, depending on the facts.

3. Where the party is absent from the State. Under the Constitution he is forbidden to perform the functions of the office.

4. Where the person is neither disabled nor absent from the State, but simply has not yet qualified for the office.

In the section as revised, this order of classification of causes for succession has been observed.

The reference draft provides that if the office of Governor is vacated by his death or resignation, or other means, the Lieutenant Governor shall succeed to the "powers, duties and emoluments of the office." As a matter of fact, when the Governor dies the Lieutenant Governor assumes the office and becomes "Governor." This has been established by precedent in this State. The language of the reference draft therefore seems not well chosen in this particular. Attention should here be called to the experience in the recent conventions in New York and Pennsylvania. In both of these states the existing Constitution is practically identical in this particular with the existing Constitution of Illinois. But the Convention of 1915 in New York and the Commission of 1920 in Pennsylvania both provided that when the office of Governor becomes vacant the Lieutenant Governor shall "become Governor." (See proposed Constitution for New York 1915, Article IV, Section 6, and proposed Constitution for Pennsylvania 1920, Article IV, Section 14.) Accordingly the section as revised here makes the Lieutenant Governor succeed to the office of Governor when that office is vacant.

The question arises as to what would happen if the Governor and Lieutenant Governor should die or be disqualified and there should be no President of the Senate or Speaker of the House at the time; or if both of the last mentioned officers should also be disqualified or disabled. The Constitution is silent in this regard; it fails to cover the contingencies enumerated in numbers 10, 12, 13 and 14 as above outlined. It seems advisable to have a provision in the Constitution covering these contingencies. Accordingly it is suggested that some provision like the following be added to the section:

"If there is no person qualified to act as Governor the General Assembly shall convene in special session upon the call of not less than five members thereof, for the purpose of choosing some person to act as Governor until the office is filled, either by the qualification of the proper person or by an election."

Section 18. This section has been transferred to Section 9 of the Legislative Article. If the section is analyzed it will be found to contain three ideas:

1. The Lieutenant Governor shall be President of the Senate.
2. He shall vote only when the Senate is evenly divided.
3. The Senate shall choose a president *pro tempore* to preside when the Lieutenant Governor is absent.

The subject matter of each of these provisions is purely legislative; the section has no proper place in the Executive Article. As the section has been revised in the Legislative Article it contains all the ideas of the reference draft without change in meaning.

Section 20. This section has not been changed save in certain minor details. The verb "shall be vacated" in the reference draft is used in the passive voice; it has been changed to the active voice. The future tense of this verb has been changed to the present tense, to conform to the consistent usage adopted by this committee throughout its reports. The future form of the verb "shall be elected," in the last part of the reference draft, has been changed to "is elected" for the same reason. The clause "in such manner as may be provided by law" is unnecessary and has been dropped.

Sections 21 and 22. These sections are both concerned with the same subject-matter, namely, reports from the officers of the Executive Department and the officers of the public institutions of the State. The two sections have therefore been consolidated.

If the two sections are analyzed they will be found to contain the following ideas:

1. The officers of the Executive Department and of all the public institutions of the State shall report to the Governor semi-annually and give an account of all moneys received and disbursed by them.
2. Any officer making a false report shall be guilty of perjury and punished accordingly.
3. Each of the officers named in No. 1 above shall also report to the Governor ten days before each regular session of the General Assembly.

4. The Governor shall transmit the reports to the General Assembly.

5. The Governor may at any time require further reports in writing from each these officers.

It will be noted that the reference draft refers to "reports of the judges of the Supreme Court of defects in the Constitution and laws." The provision in Section 31 of the present Judiciary Article, requiring such reports from the judges of the Supreme Court, has been dropped from the judiciary proposal as adopted by the Convention. The clause above quoted should accordingly be omitted from this section.

It is obvious that the phrase "the officers of the Executive Department" is not intended to include the Governor, since these officers report to the Governor, and since the Governor is required elsewhere in the Constitution to submit a "message" to the General Assembly.

Under the reference draft each "officer" of "all public institutions of the State" is required to make the report in question. The clear import of the section is to require this report only from the chief officer of such public institutions. The section as revised makes this point clear.

The last part of Section 22, concerning further "information" which may be required by the Governor of these officers, is long and involved. The provision has been shortened and simplified in the section as revised, without change in meaning.

Section 23. This section has not been changed except to condense it by omitting unnecessary words.

Section 24. This section of the reference draft is the same as Section 23, Article V, of the present Constitution. In 1870 a number of scattered provisions in the Constitution of 1848 were gathered together and the subject-matter of those provisions was incorporated in the first sentence of this section. The second sentence of the section was new in 1870.

If the section is analyzed it will be found to contain the following ideas:

1. The officers named in the Executive Article shall receive salaries and shall receive no other compensation.

2. The salary of any such officer shall not be increased or diminished during his term.

3. All fees which are payable by law for the services of any officer named in the Executive Article shall be "paid in advance into the State Treasury."

The first provision as above outlined has been revised in a shorter and simpler form, but without change in meaning.

The second provision has been dropped because its substance has been included in a general provision applicable to all officers of the State, which has been incorporated in Section 21 of the Legislative Article as revised.

The third provision as above outlined was intended to require that all fees or other payments made by the public to the officers of the Executive Department should be paid in advance "into the State treasury." In other words, the fees should not be paid to the particular officer rend-

ering the service, but should be paid directly to the Treasurer. This provision appeared as a separate section when first introduced into the Convention in 1870; it was consolidated with this section by the Committee on Revision and Adjustment of that Convention. (See Debates 1870, p. 67; also p. 1386; also p. 1782). For this reason and for the reason that the provision here in question is not directly concerned with the first sentence of the section in the reference draft, the two provisions have been revised into separate paragraphs.

It is common knowledge that this provision has not produced the result intended; namely, to require all fees to be paid directly "into the State treasury." Some of the officers of the Executive Department have traditionally received large sums of money for the service rendered by the particular department, and the money is later paid by the department into the State treasury. In the provision as revised, the fees are required to be paid "in advance" and the particular officer receiving them is required to pay them "at once" into the State treasury. There is another method by which some Constitutions arrive at the same result; that is, any person desiring any service from one of these departments shall first pay the fee directly into the State treasury and receive a receipt from the State Treasurer, which will entitle him to the services concerned when presented to the particular officer. Your committee appreciates the full consideration which has been given to this section by the Committee on the Executive Proposal, but suggests that the Convention should adopt either one of the two methods just outlined in regard to this provision if it is to be made effective. That is, the Convention should adopt the plan of permitting payment to be made to the particular officer rendering the service, and then require that officer to pay the money "at once into the State treasury," as suggested in the revision of this committee; or the Convention should revise the provision in such a manner that fees shall be paid directly into the State treasury and a receipt presented to the particular officer for the service desired.

Section 25. No change has been made in this section except to omit unnecessary words. The section is applicable to all officers in the State and should be transferred to a general article on "Officers."

Section 26. The first sentence of this section has been incorporated in Section 4 of the Legislative Article, where the provision is discussed at legnth.

The second sentence of the section has been transferred to Section 21 of the Legislative Article, where an inclusive provision covering the same ground has been revised and where the matter is fully discussd.

Section 27. No change has been suggested in this section.

Section 28. No change has been suggested in this section.

Section 29. This section is new to this Convention. As revised, the section contains all the ideas of the reference draft in a somewhat shorter and simpler form.

The reports of the committee were ordered printed and the proposals included therein, were placed on the order of second reading.

Mr. Wall offered the following resolution and moved its adoption:

RESOLUTION No. 35.

Resolved, That when the Convention adjourns today it adjourn to meet on Tuesday, January 3, 1922, at 10:00 o'clock a. m.

Whereupon, Mr. Whitman offered as a substitute the same resolution, with the time of reconvening changed from January 3, 1922, to November 1, 1921.

The question being on the adoption of the substitute, it was decided in the negative.

The question recurring on the adoption of the resolution, a division was had resulting as follows: Yeas, 31; nays, 11.

And the resolution was adopted.

Mr. Mighell offered the following resolution and moved its adoption:

RESOLUTION No. 36.

Resolved, That it is the desire of this Convention that the vacancies in its membership caused by death or resignation be filled by special election and it recommends to the Governor that such elections be called.

And the resolution was adopted.

At the hour of 11:35 o'clock a. m., Mr. Green moved that the Convention do now adjourn.

The motion prevailed.

And in accordance with the resolution, heretofore adopted, the Convention stood adjourned until Tuesday, January 3, 1922, at 10:00 o'clock a. m.

TUESDAY, JANUARY 3, 1922, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. W. T. Rodgers, of the First Presbyterian Church, of Macomb.

The Journal of Wednesday, December 8, 1920, having been printed, and placed on the desks of the Delegates, as provided under the rules, was taken up and, no corrections appearing, was ordered to stand approved.

The Convention proceeding on the order of Reports of Standing Committees; Mr. Clarke presented a supplemental report, amending sections 6 and 7 of Report No. 12, of the Committee on Phraseology and Style, submitted to the Convention on September 6, 1921, as follows:

Amend Report No. 12, the legislative article, by substituting in lieu of sections 6 and 7, thereof, the following:

SECTION 6. The General Assembly shall apportion the State at any session which may be then pending, or, if none, then at its first session following the adoption of this Constitution and in the year 1931 and every ten (10) years thereafter, into fifty-seven (57) senatorial districts, each of which shall elect one Senator whose term of office shall be four (4) years and the basis of senatorial apportionment shall be the number of voters who voted for Governor at the last regular election at which a Governor was elected previous to the apportionment.

The territory now constituting the county of Cook shall be divided by the General Assembly into nineteen (19) senatorial districts and the number of such voters in that territory shall be divided by the number nineteen (19) and the quotient shall be the ratio of representation in the Senate for that territory.

The territory now constituting the remainder of the State shall be divided by the General Assembly into thirty-eight (38) senatorial districts and the number of such voters in that territory shall be divided by the number thirty-eight (38) and the quotient shall be the ratio of representation in the Senate for that territory.

When a county contains two (2) or more ratios of its territory it shall be divided by the General Assembly into as many senatorial districts as it has such ratios. Districts in counties so divided shall be bounded by precinct or ward lines, or both; all other senatorial districts shall be bounded by county lines.

All senatorial districts shall be formed of compact and contiguous territory and the districts in each territory shall contain as nearly as practicable an equal number of such electors but in no case less than four-fifths (4/5) of the ratio for that territory.

Senators shall be so elected that the term of those now in office shall not be disturbed. They shall be divided into two classes so that one-half as nearly as practicable shall be chosen biennially.

SECTION 7. At the same time that the senatorial apportionment is made the State shall be apportioned into representative districts.

Members of the House of Representatives shall be elected for the term of two (2) years from each county or district.

Each county shall be entitled to one representative in the House of Representatives. Each county having a population in excess of fifty thousand (50,000) shall have one additional representative for each additional fifty thousand (50,000) population, or major fraction thereof.

Each county entitled to more than one representative shall be divided by the General Assembly into as many representative districts as there are representatives to be elected from such county. Such districts shall be formed of compact and contiguous territory bounded by precinct lines and containing as nearly as practicable an equal number of inhabitants but in no case less than four-fifths (4/5) of the quotient resulting from dividing the population of that county by the number of representatives to which it is entitled.

The Supplemental Report was ordered printed and placed on the order of second reading.

At the hour of 10:35 o'clock a. m., Mr. Barr moved that the Convention do now take a recess until 2:00 o'clock p. m.

And the motion prevailed.

2:00 o'Clock P. M.

The hour of 2:00 o'clock p. m., having arrived, the Convention resumed its session.

The President presiding.

Mr. Barr moved that when the Convention adjourns today, it stand adjourned until Tuesday, January 31, 1922, at 10:00 o'clock a. m.

And the motion prevailed.

The President, as chairman, laid before the Convention the following report from the Committee on Rules and Procedure, to-wit:

Committee Report.

Your Committee on Rules and Procedure recommend that sections 6 and 7 of Report No. 12 from the Committee on Phraseology and Style on Proposal No. 366, now pending on second reading be made a special order for Tuesday, January 31, 1922, and each succeeding Convention Day thereafter until final disposition thereof on second reading; that said sections 6 and 7 be considered and debated together, and final vote be first taken on said section 7, then on said section 6, or amendments thereto or substitutes therefor, respectively.

The question being on the adoption of the report of the committee, a call of the roll was had, resulting as follows: Yeas, 60; nays, 1.

Those voting in the affirmative are: Messrs.

Barr	Dunlap	Hull	Miller	Sneed
Beckman	Dupuy, G. A.	Iarussi	Mills	Stahl
Brandon	Elting	Ireland	Moore	Sutherland
Carlstrom	Gale	Jack	Nichols	Taff
Chew	Ganschow	Jarman	O'Brien	Traeger
Clarke	Gee	Johnson, L. C.	Paddock	Trautmann
Coolley	Goodyear	Kerrick	Parker	Warren
Davis	Gray	Lindly	Scanlan	Whitman
Dawes	Green	Mack	Shanahan	Wilson
De Young	Hamill	McGuire	Shaw	Wolff
Dietz	Hogan	Meinert	Shuey	Woodward
Dryer	Hollenbeck	Mighell	Smith	Mr. President

Yeas—60.

Those voting in the negative are: Mr.

Torrance

Nays—1.

And the report of the Committee on Rules and procedure was adopted.

Mr. Hull moved that Article I, of Proposal No. 385 presented by the Committee on Phraseology and Style, as Report No. 8, Chicago and Cook County, reported to the Convention on September 6, 1921, be recommitted to the Committee on Phraseology and Style.

And the motion prevailed.

Upon request of their colleagues delegates, Revell, Corlett, McEwen, Cutting, W. A. Johnson and Kunde, were excused from attendance at today's session of the Convention.

At the hour of 3:30 o'clock p. m., Mr. Green moved that the Convention do now adjourn.

The motion prevailed.

And in accordance with the motion heretofore adopted, the Convention stood adjourned until Tuesday, January 31, 1922, at 10:00 o'clock a. m.

TUESDAY, JANUARY 31, 1922, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Charles A. Briggs, of the First Methodist Church, of Freeport.

The Journal of Tuesday, September 6, 1921, having been printed, and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The President laid before the Convention the Certificates of Election of the Delegates chosen at the special election held on January 23, 1922, to fill the vacancies, in the several districts, in this Convention, caused by death and resignation which were read at large by the Secretary.

Whereupon Mr. Gale moved that the Certificates of Election be referred to the Committee on Qualifications and Election of Delegates.

And the motion prevailed.

Mr. Gale thereupon submitted the following report:

Your Committee on Qualifications and Election of Delegates to which was referred the certificates of election of the following persons, elected to fill vacancies in the office of delegates, in their respective districts, respectfully reports that said persons were duly elected as delegates to this Convention and are entitled to seats herein:

Dist.	Name.	Address.	County.	Party.
2	George W. Tebbens	1212 S. Ashland Ave., Chicago	Cook	Rep.
20	Charles D. Cary	Kankakee	Kankakee	Rep.
22	B. H. Pinnell	Kansas	Edgar	Rep.
27	Stanley Adamkiewicz	1029 Milwaukee Ave., Chicago	Cook	Dem.
40	Edward E. Adams	Taylorville	Christian	Rep.
45	B. L. Catron	Springfield	Sangamon	Rep.

Mr. Fifer moved that a committee of five Delegates be appointed, by the President, to call upon the Judge of the Circuit Court of Sangamon County and request him to administer the oath of office to the Delegates-elect.

And the motion prevailed.

The President thereupon appointed as such committee, Messrs: Fifer, Six, Paddock, Cruden and Gale.

Mr. Fifer, from the committee heretofore appointed to wait upon the Judge of the Circuit Court and request him to administer the oath of office to the Delegates-elect, announced that Judge Elbert S. Smith, of the Circuit Court, of Sangamon County, was present and ready to perform that duty.

Whereupon the oath of office was administered by Judge Smith to the Delegates-elect.

The President thereupon directed the Secretary to place the names of the Delegates-elect on the Roll of the Convention.

The Convention proceeding on the order of Reports of Standing Committees, Mr. Clarke submitted the following reports:

Report No. 4.

YOUR COMMITTEE ON PHRASEOLOGY AND STYLE, TO WHICH WAS REFERRED A PROPOSAL RELATING TO EDUCATION (INTRODUCTION NO. 359, REFERENCE NO. 3) AS AMENDED IN COMMITTEE OF THE WHOLE, RESPECTFULLY REPORTS IT HAS CONSIDERED SUCH PROPOSAL AND HEREWITH SETS FORTH IN PARALLEL COLUMNS SAID PROPOSAL AS ADOPTED IN COMMITTEE OF THE WHOLE ON THE LEFT, AND A SUBSTITUTE THEREFORE AS RECOMMENDED BY THIS COMMITTEE ON THE RIGHT.

RESOLVED, *That the following shall become a part of the Constitution of Illinois:*

Section 1. The General Assembly shall provide a thorough and efficient system of free schools, whereby all children of this State may receive a good common school education.	(No change).
Section 2. The General Assembly shall make adequate provision for the maintenance and development of the University of Illinois.	(No change).
Section 3. All lands, moneys, or other property donated, granted or received for school, college, seminary or university purposes, and the proceeds thereof, shall be faithfully applied to the objects for which such gifts or grants are made.	Section 3. Property received for public education and the proceeds of such property shall not be diverted to another purpose.
Section 4. Neither the General Assembly nor any county, city, town, township, school district or other public corporation shall ever make any appropriation or pay from any public fund whatever, anything to any church or for any sectarian purpose, or to any school, academy, seminary, college, university or other literary or scientific institution controlled by any church or sectarian denomination whatever, otherwise than through the power of eminent domain; nor shall any grant or donation of land, money or other personal property ever be made by the State, or any such public corporation to any church or for any sectarian purpose. This section shall not apply to any institution which has, within two years prior to January 1, 1920, received public funds for services rendered, until fifteen years after the adoption of this Constitution.	Section 4. Except in payment of rent or purchase price, or for the hospital care of the sick when only a sectarian hospital is available, no public money shall be paid or other public property be given or applied for any sectarian purpose or to any institution controlled by a church or sect.

Section 5. No state, county, township, or district school officer shall be interested in the sale, proceeds or profits of any book, apparatus or furniture, used or to be used, in any school in this State, with which such officer may be connected, under such penalties as may be provided by the General Assembly.	Section 5. No school officer shall be financially interested in any contract concerning any school with which he is connected, or in any book, apparatus or furniture used in such school.
Section 6. There may be a county superintendent of schools in each county whose qualifications, powers, duties, compensation, and time and manner of election, and term of office, shall be prescribed by law.	Section 6. In each county there may be a county superintendent of schools whose qualifications, time and manner of election, term of office, powers, duties, and compensation shall be prescribed by law.

Respectfully submitted,

ELAM L. CLARKE,
GEORGE A. BARR,
THOS. RINAKER,
C. B. T. MOORE,
EUGENE H. DUPEE,
H. E. TORRANCE,
Committee on Phraseology and Style.

IN RE PROPOSAL NO. 359.

Memorandum from Committee on Phraseology and Style, Accompanying Report on Proposal No. 359, being a Proposal in Relation to Education.

SECTIONS 1 and 2. As will be observed, no change is recommended in these sections. The first is a repetition of the first section of the Article on Education in the Constitution of 1870. The second section is a new one.

Of these sections it should be noted that neither of them is in form a limitation upon the powers of the General Assembly, but each of them is in form a mandate. By these two sections the General Assembly is required, first, to provide free schools for children, and second, to maintain and develop the University of Illinois. As stated in this committee's first report, it is not the function of the Constitution to confer power upon the General Assembly, but the State has all power not by the Federal Constitution vested in the Federal Government, and the Legislative Department of the State is the repository of all State power not denied to the Legislature or conferred by the State Constitution upon some other branch of the State Government. When, therefore, a constitution purports to grant power to the General Assembly, it is in effect an attempt to confer power upon omnipotence. As this is an impossibility, the courts construe such provisions as limitations of power. (*People* v. *Couchman*, 15 Ill. 142, 1853; *People* v. *Salomon*, 51 Ill. 37, 1869; *Chicago & Alton R. R.* v. *People*, 67 Ill. 11, 1873; *Updike* v. *Wright*, 81 Ill. 49, 1876; *Sanner* v. *Patton*, 155 Ill. 553, 1895; *People* v. *Hutchinson*, 172 Ill. 486, 1898; *Christie* v. *People*, 206 Ill. 337, 1903; *People* v. *Board of Commissioners*, 221 Ill. 493, 1906; *People* v. *Deutsche Gemeinde*, 249 Ill. 132, 1911.) Thus the first section of this article is held to prevent the exclusion of any children from the public schools.

Colored children or unvaccinated children cannot be excluded since the provision reads: "whereby *all* children of this State may receive a good common school education." (*People* v. *Mayor of Alton,* 193 Ill. 309, 1901; *People* v. *Board of Education,* 234 Ill. 422, 1908.) It should be considered, therefore, what additional limitations, if any, are imposed by these sections. Is the General Assembly thereby forbidden to pass laws providing for schools other than schools for children, for instance technical schools for adults, or institutions or higher learning other than the University?

SECTION 3. This is the same as section 2 of the Article on Education in the present Constitution with the exception of the tense of the final verb which in the present Constitution is "were" and in the reference draft is "are." The substance of this section first appeared in the rejected Constitution of 1862. The debates of that Convention indicate that its primary purpose was to prevent the diversion of the lands granted by the Federal Government to the State in aid of education. (Debates of Convention, 1862, March 14; remarks of Mr. Lawrence). It was incorporated into the Constitution of 1870 without explanation or debate. The Supreme Court early held that this section prevented the taxation of school property and even a levy of special assessments for benefits. (*City of Chicago* v. *People,* 80 Ill. 384, 1875; *People* v. *Trustees,* 118 Ill. 52, 1886.) In the case of *Grosse* v. *People,* 218 Ill. 342, 1905, however, the Supreme Court held that the use of the past tense in the verb "were" indicated that the section was intended to exempt from taxation only lands donated prior to 1870. As the argument of the opinion based upon the grammatical construction is not persuasive, it may be surmised that the decision was prompted in part by the belief that school lands ought not to be exempted from special assessments, save as the Constitution imperatively required.

The debates in Committee of the Whole indicate that in changing the word "were" to "are" it was the intention to avoid the effect of the decision in *Grosse* v. *People,* and to include in the forbidden diversion all taxation, general and special, on property which has been in the past, or may be in the future, given for public educational purposes. Your committee assumes that it was not the intention of the Convention to forbid by this section diversion of gifts made to private educational institutions. (*University of Chicago* v. *People,* 118 Ill. 565, 1886.)

The section as adopted in Committe of the Whole is in the affirmative, leaving the intended prohibition to inference. The better form is to express the prohibition intended and this, of course, can only be done by a negative.

"Lands" and "money" are property and when the diversion of "property" is forbidden there is included a prohibition upon diversion of lands and money and therefore your committee has consolidated the words "all lands, money or other property" into the word "property." Under the section as adopted in Committee of the Whole, it is required that "property donated, granted or received" shall be "faithfully applied." Property cannot be "faithfully applied" until it is "received" and the words "donated" and "granted" are therefore unnecessary. It may be

doubted whether it is necessary to include as your committee has, the words "and the proceeds of such porperty," but in view of the stress laid by the Supreme Court upon the use of the words "proceeds thereof" in the case of *People* v. *City of Chicago,* 216 Ill. 537, 1905, your committee has considered it more prudent to use the words "and the proceeds of such property."

Under the section as adopted in Committee of the Whole it may be doubted whether property given for school purposes could be applied to either a college or seminary or university, or whether money given for university purposes could be applied to either a school, college or seminary: while under the form recommended by your committee the only prohibition is that the property shall not be diverted from educational purposes and the authorities in control of any parperty given for education would not by this section alone be forbidden to apply such property to some other educational activity.

SECTION 4. This section appeared in the Constitution for the first time in 1870 (Debates 1870, pp. 617-626). In *County of Cook* v. *Industrial School,* 125 Ill. 540, 1888, it was held that the section forbids payment of money for care of children committed to sectarian institutions by the courts. But in *Dunn* v. *Chicago Industrial School,* 280 Ill. 613, 1917, it was held that such payments might be made when it clearly appeared that the payment was less than it would cost to care for the inmate in a State institution. See also *Dunn* v. *Addison School,* 281 Ill. 352, 1917: *Trost* v. *Ketteler Manual Training Schoool,* 282 Ill. 504 1918: and *St. Hegwig's School* v. *County of Cook,* 289 Ill. 432, 1919.

The debates in Committee of the Whole indicate an intention to change the rule thus laid down by the Supreme Court and forbid payments to sectarian institutions even when such payments are less than the cost of keeping the inmate. Two exceptions are made: (a) payments are permitted for property taken by eminent domain, and (b) aplication of the section to certain institutions is postponed for fifteen years.

By the reference draft (I) the General Asembly, any (II) county, (III) city, (IV) town, (V) township, (VI) school district, (VII) other public corporations are forbidden ever to make (1) appropriations, (2) payments, (3) grants, (4) donations, to (a) any church, or (b) for any sectarian purpose. It is also forbidden to make (1) appropriations, or (2) payments to (c) any school, (d) academy, (e) seminaries, (f) colleges, (g) universities, or (h) other literary or (i) scientific institutions controlled by (x) any church, or (y) sectarian denomination. The order is loose and without logical arrangement. If the section be made to read so that the payment of any public money or the giving or application of any public property to the forbidden purposes is prohibited, there is obviously no need for including the General Assembly, county, city, town, township, school district, and other corporations. Accordingly, your committee has phrased its draft so as to forbid the payment of public money or the giving or application of public property to the forbidden purposes. When there is a prohibition upon the payment of money or the giving or application of property, it seems unnecessary to forbid (1) appropriations, (2) payments, (3) grants, or (4) donations,

and it would seem that the concepts included in "schools, academies, seminaries, colleges, universities and other literary or scientific institutions controlled by any church or sectarian denomination" are adequately and more briefly expressed by "sectarian purposes or to any institution controlled by a church or sect."

Under the reference draft no payment could be made from public moneys for rent or purchase price in the event property should be leased to, or bought by, the public from a church or sectarian institution. The reference draft evidently contemplated that the property of sectarian institutions could be acquired by the public only through condemnation proceedings. It has been suggested to your committee by many delegates, including the mover of this section, that this prohibition was broader than is desirable and that the Constitution should not prohibit the purchase or lease of church or sectarian property by the State or a subdivision thereof. Accordingly, the draft of your committee excepts from the prohibition moneys paid for rent or purchase price. If the Convention should not desire to make this change the exception as written in the reference draft can of course be easily substituted. The other exception made by the reference draft by postponing the application of the section in certain cases, your committee has thought should be inserted in the schedule and it is accordingly omitted here.

It would seem from the debates in Committee of the Whole (Debates of May 6, page 3), that it was not the intention of the Convention to prohibit payment for the care of public charges by hospitals, though controlled by churches or sects. Your committee is informed that in many of the counties of the State there are no county or other public hospitals and the county poor are customarily cared for in private or charitable hospitals at the expense of the county. Upon the assumption that it is not the intention of the Convention to interfere with this practice, your committee has inserted in its draft an exception "or for the hospitals care of the sick when only a sectarian hospital is available."

It should be noted that by the reference draft all of the provisions of the section are denied application to certain institutions for fifteen years. This was, of course, not the intention. It was only intended that during that period limited payments could be made.

In general it should be noted that the reference draft is long, involved and ambigious; it contains one hundred words in a single sentence and must be read over and over again before it can be understood. It is a striking example of the offense against unity of thought which should be observed above all in constitutional drafting. (See Herrick & Damon, "Composition and Rhetoric," p. 305; Wendell, "English Composition," pp. 223-224; Wooley, "Handbook of Composition," pp. 29-30; Hitchcock, "Composition and Rhetoric," pp. 379-382; Willard, "Legislative Handbook," p. 151; Ilbert, "Mechanics of Law Making," p. 117.)

By its redraft your committee has sought also to correct what appears to be in the reference draft a violent breach of the rule laid down in Ilbert, "Mechanics of Law Making," p. 117, as follows:

> "Avoid enumeration of particulars. It is almost impossible to make enumerations exhaustive, and accidental omission may be con-

strued as implying deliberate exclusion in accordance with the maxim *Expressio unius est exclusio alterius.* State each rule in general terms and so far as practicable test each application to a particular case for the purpose of seeing how far it will work in each case."

This section probably does not belong in the educational article and upon the second reference to this committee it will doubtless be relocated.

That part of the reference draft which your committee recommends should be included in the schedule has been rephrased thus:

"Section 4 of Article 8 shall not apply for fifteen years after the adoption of this Constitution to payments made for partial support of inmates in institutions which have received such payments from public funds since January 1, 1918."

SECTION 5. Section five as it appears in the reference draft is a good instance of weakening the prohibition by multiplying words. "No school officer" as it appears in the draft of your committee is a stronger prohibition than "no state, county, township, or district school officer" of the reference draft and it is assumed that the purpose of the section is to make the prohibition as strong as language permits.

If the Constitution is construed as presently speaking, as it should be under correct rules of construction, there is no need of multiplying tenses of verbs as in "used or to be used."

By inserting "financially" it is thought the words "sale, proceeds or profit" can be omitted.

Believing that it was the intention of the Convention to prohibit the making of profit by any school officer by reason of his official position, your committee has inserted a prohibition upon his financial interest in any contract concerning his school. Under the from reported by your committee a school officer is forbidden to make a profit from any contract, such as one for the purchase of land for a school. This is not forbidden by the reference draft.

Your committee has omitted the final clause of the reference draft, "under such penalties as may be provided by the General Assembly," because this confers no power upon the General Assembly and might be construed as imposing some limitation. Whether this phrase be left or not, the forbidden contract will be voidable if not void, but no other punishment may be visited upon an offender unless the General Assembly shall so provide. Such provision may be made just as well without this last clause as with it.

It is probable that this section can be consolidated to advantage with another section prohibiting fraudulent transactions by officers or employees of the State. This will have the attention of your committee upon the second reference.

SECTION 6. By putting the phrase "in each county" at the beginning of the sentence instead of in the position which it occupies in the reference draft, the relative "whose" is made to follow immediately its antecedent, thus clarifying the sense. (See Herrick & Damon, "Composition and Rhetoric", p. 305; Wooley, "Handbook of Composition", p. 33; Gerrish & Cunningham, "Practical English Composition", p. 201.)

The rearrangement of the order of the rest of the sentence is for the purpose of making the development of the ideas chronological.

Of this section it should be noted that it creates no office and confers no power upon the General Assembly. There are contained in it three limitations upon the power of the General Assembly. First, if there shall be a superintendent of schols, he must be elected; second, the qualifications, the time, and manner of his election, the term of his office and his powers, duties and compensation must be prescribed by law, i. e. by the General Assembly and not by the county authorities; and third, if there be county superintendents, there must be one for each county.

Report No. 5.

YOUR COMMITTEE ON PHRASEOLOGY AND STYLE, TO WHICH WAS REFERRED A PROPOSAL ENTITLED BOUNDARIES, (INTRODUCTION NO. 357, REFERENCE NO. 4), AS AMENDED IN COMMITTEE OF THE WHOLE, RESPECTFULLY REPORTS THAT IT HAS CONSIDERED SUCH PROPOSAL AND RECOMMENDS THAT THE ARTICLE ON BOUNDARIES BE OMITTED FROM THE NEW CONSTITUTION. BUT IF THE ARTICLE ON BOUNDARIES IS TO BE RETAINED, YOUR COMMITTEE RECOMMENDS THAT ITS FORM BE CHANGED. ACCORDINGLY YOUR COMMITTEE HEREWITH SETS FORTH IN PARALLEL COLUMNS SAID PROPOSAL AS ADOPTED IN COMMITTEE OF THE WHOLE ON THE LEFT, AND A SUBSTITUTE THEREFOR AS DRAFTED BY THIS COMMITTEE ON THE RIGHT.

RESOLVED, *That the following shall become a part of the Constitution of Illinois:*

The boundaries and jurisdiction of the State shall be as follows, to-wit: Beginning at the mouth of the Wabash River; then following up the middle of the same, and with the line of Indiana to the northwest corner of said State; thence east with the line of the same State to the middle of Lake Michigan; thence north, along the middle of said lake, to the line of north latitude forty-two degrees and thirty minutes, as the same, projected east, was, or may hereafter be, ascertained, surveyed, established and marked as the northern boundary of this State under the Acts of Congress, now in force or which may hereafter be enacted; thence west along the line so ascertained, established, surveyed and	The boundaries of this State are as follows: Beginning at the mouth of the Wabash River, thence up the middle of that river to a point where said middle is intersected by the line (projected south) between the States of Illinois and Indiana, as established by the Act of this State entitled "An Act establishing the line between the States of Illinois and Indiana", approved on the seventeenth day of February, 1823; thence north along said line to the northwest corner of the State of Indiana, thence east along the northern boundary of the State of Indiana to the middle line of Lake Michigan; thence northerly along the middle line of Lake Michigan to a point

marked, projected west, to the middle of the Mississippi River; thence down and along the middle of that river to its confluence with the Ohio River and thence up the latter river along its northwestern shore to the place of beginning.

Provided, That this State shall exercise such concurrent jurisdiction as the Federal Congress has granted or hereafter may grant to this State over the Mississippi, Ohio and Wabash rivers and other navigable waters constituting any part of the boundary lines of this State, and also such further jurisdiction as this State and any bordering state may agree upon and provide by law not inconsistent with the Federal Constitution or any Act of the Congress of the United States.

where said middle line is intersected by a line (projected easterly) ascertained, surveyed and marked in the year 1832 by the joint commission of the United States and the State of Illinois as north latitude forty-two (42) degrees thirty (30) minutes; thence westerly along said line, as established by said joint commission, to the middle of the Mississippi River; thence southerly along the middle of that river to its confluence with the Ohio River; thence along the northwest shore of the Ohio River to the place of beginning.

Respectfully submitted,

ELAM L. CLARKE, *Chairman.*
THOS. RINAKER,
CHARLES B. T. MOORE,
HERBERT E. TORRANCE,
EDWARD H. BREWSTER,
Committee on Phraseology and Style.

IN RE PROPOSAL NO. 357.

Memorandum from Committee on Phraseology and Style, Accompanying Report on Proposal No. 357, being a Proposal Relative to the Boundaries of the State of Illinois.

The Act of Congress of April 18, 1818, enabling the people of Illinois to form a State, fixed its boundaries and required its first Constitutional Convention to accept them. Accordingly, the Constitution of 1818 contained an article ratifying the boundaries thus established and a similar article on boundaries has appeared in every Constitution since that date.

The State was bounded by natural monuments, except for a portion of the line between Illinois and Indiana, and the line between Illinois and Wisconsin. The Illinois-Indiana boundary was surveyed in the year 1821 by a joint commission of the two states. (Illinois: Act of February 6, 1821, providing for such commission; also Act of February 17, 1823, approving the survey as made. Indiana: Act of January 8, 1821; Joint Resolution, December 11, 1821). Apparently no difficulty has ever arisen over this survey. The northern boundary of the State was fixed by the Enabling Act as 42° 30′ north latitude and all of the Constitutions of the State have so described it. However, the line as it was surveyed and as it has always been observed; diverges from north latitude 42° 30′, and the facts here involved should be considered by the Convention.

This line was surveyed by a joint commission of the United States and the State of Illinois. The commission was authorized on the part of the United States by an Act of Congress, passed April 18, 1831, and on the part of Illinois by the Act of January 2, 1829. (Revised Laws of Illinois, 1829, p. 11). A supplementary Act was passed in this State February 5, 1831, which provided that the survey should be made by "celestial observation and not by mariner's compass", and further provided that stone markers should be set up on the line every five miles. The commission started its work in October, 1831, at a point on the Mississippi River and surveyed the line eastward to some distance east of the Rock River when winter intervened. The Black Hawk War prevented the continuance of the work in the following spring and the survey was not completed until January, 1832.

The report of the commissioner for the United States may be found in the Congressional Journal, Senate Document 234, 24th Congress First Session. The report of the commissioner for Illinois was filed with the Governor, February 12, 1833 (See H. J. 1833, p. 504), and may be found—together with the field notes of the survey—in the office of the Auditor of Public Accounts. The commissioners explain in their report that the inclemency of the weather prevented a survey by celestial observation and, accordingly, the line was surveyed by use of the compass. The commissioners also explain that the difficulty of getting suitable stone prevented the marking of the line as the Act required and, accordingly, the line was marked in a comparatively few places.

The line as surveyed is inaccurate and departs in several localities from true north latitude 42° 30′. The best discussion of the subject is found in "Bulletins Wisconsin 'Hist. Soc. Coll. XI, 'The Boundaries of Wisconsin,'" p. 501, where the divergence of the line as surveyed is described by Prof. Reuben G. Thwaites of the University of Wisconsin. He quotes Prof. John E. Daviess of the United States Coast and Geodetic Survey as follows:

> "The line as it is, does not represent parallel 42° 30′ as the Constitution of each state prescribes. It zigzags to and fro, having been made by a surveyor's compass apparently in the hands of Lucius Lyon, United States Commissioner. The line should go further south than it now is—about three-quarters of a mile in the western part of Wisconsin; and further north in and east of Beloit."

The subject is also discussed in an article by Prof. H. G. James, "Preamble and Boundary Articles of the Constitution of Illinois", found in the proceedings of Chicago Historical Society, Vol. V, p. 1.

Your committee is in receipt of a letter dated November 19, 1920, from R. H. Batterman, County Surveyor for Rock County, Wisconsin, which shows a considerable divergence of the surveyed line from the true line in the city of Beloit, Wis., where it is obvious that property rights of a very substantial character are involved. The letter is in part as follows:

> "The boundary varies from true latitude 42° 30′ and I refer you to Rockford and Belvidere Quadrangle U. S. Geological Survey * * *. The city of Beloit, (Wis.), is situated on the north side of the state line and (if the true line were observed) would probably

lose three blocks of residence and business property, while South Beloit, Ill., would gain."

Your committee is informed that a similar divergence exists along the eastern part of the line and that in Lake County the observed line is roughly half a mile too far south.

The inaccuracy of the line as surveyed seems to have been appreciated quite early by the Government of the United States, for the Senate by resolution (December 22, 1835), requested the Secretary of the Treasury to lay before it the report of the commissioner who surveyed the line. (Senate Document 234, 24th Congress, First Session) Shortly thereafter a Federal Act was passed which provided "that the northern boundary line, ascertained, surveyed and marked * * * shall be deemed and taken as the line * * * in north latitude forty-two degrees thirty minutes * * * and shall be and forvere remain the northern boundary line of said State". (U. S. Statutes at Large, Vol. V, p. 57, approved June 23, 1836).

The effect of this action on the part of Congress is doubtful. It may be questioned how far the Federal Government could alter the boundaries of a sovereign state after its admision, especially by cutting off part of its territory. Furthermore, the Enabling Act for Wisconsin (approved August 8, 1846) fixed the southern boundary of that state as "42° 30′ north latitude" without reference to the Act of June 23, 1836. This raises the question whether the Act of 1836 may not have been repealed by implication. The state of Wisconsin by its Constitution adopted in the year 1848, accepted the boundary line as 42° 30′ north latitude.

Your committee cannot find that there has ever been any official action on the part of the State of Illinois approving the line as surveyed. Even if there had been some action taken by the General Assembly of Illinois or by the Executive Department of the State in an attempt to approve the inaccurate survey, it may be questioned whether such action would be constitutional. In other words, when the Constitution of the State adopted in 1818 fixed the boundary at 42° 30′ north latitude it is questionable whether the General Assembly or any officer of the State could change that boundary. There remains, however, the question of what effect follows from nearly a century's observance of the inaccurate line. If ligitation arose over the point, the Supreme Court of this State or of the United States might hold that the line as surveyed had become the actual boundary line because of long observance. (See *Missouri* v. *Iowa*, 7 Howard, 660).

In view of the facts above discussed the logical results of continuing a boundaries article in the Constitution should be considered. In the first place such an article in the Constitution of 1920 would probably hamper any proposed settlement of this question by the two states. Thus it seems clear that the General Assembly of this State would be prevented from adjusting the boundary question with Wisconsin through a joint commission or otherwise. Such a settlement between the two states could only be authorized so far as Illinois was concerned by a subsequent amendment to the Constitution.

Again, it is clear that the territorial jurisidiction of the State is necessarily limited by the boundaries recited in the Constitution. There

is in fact at this time a considerable amount of territory now occupied by Illinois which lies north of true 42° 30′ north latitude. If in such territory there should arise ligitation, either criminal or civil—let us say a prosecution for murder or a suit to collect taxes—the question of the jurisdiction of the Illinois courts would immediately arise. Indeed, the Constitution itself could be cited as authority for lack of jurisdiction on the part of the courts of this State. The same is true of the territory now occupied by Wisconsin which lies south of the true boundary. Here again, the territory is of considerable extent.

Finally, if the Constitution of the State is considered as a limitation rather than a grant of power to an otherwise sovereign state Government, the only effect of a boundaries article is to restrict the jurisdiction of the state. For it is obvious that the territorial jurisidiction of the state cannot be increased by recitals in its Constitution.

The question of the necessity of a boundaries article may be considered further in the light of the experience of other states. An examination of the various state constitutions shows that twenty-four out of forty-eight states in the Union have no such provisions in their constitutions. The custom of putting such an article into the constitution of a state seems to have been due to the fact that the Enabling Act of Congress usually required the new state to accept in its constitution the boundaries laid down by that Act. (See *Illinois Central R. R. Co.* v. *Illinois,* 146 U. S. 387, p. 434). After a state has formally accepted its boundaries by its first constitution and has been admitted to the Union, the purposes of such a recital seem to have been fully performed. The United States through the Enabling Act and the particular state through its first constitution thereby enter into a compact regarding the boundaries of the state and that compact made between two sovereign powers cannot thereafter be affected by further recitals in subsequent state constitutions. Or if it is possible for such recitals to affect the boundaries of the state it would seem that the only result would be an adverse one. Though it is obvious that Illinois could not gain territory from Wisconsin by misdescription in the boundaires article; yet Illinois by this means might possibly relinquish either jurisdiction or territory.

Your committee therefore recommends that this article be omitted from the Constitution of 1920 for the reasons above given which may be summarized as follows:

1. The only purpose of such an article is to accept the boundaries of the State as defined in the Enabling Act of Congress; and this result is accomplished when the first Constitution has been adopted.

2. The retention of the boundaries article in the Constitution may prevent a possible adjustment in the future of the northern boundary line.

3. The recital of the boundaries in the Constitution limits the territorial jurisidiction of the courts and might raise serious questions in future litigation.

4. The limitation necessarily implied by a boundaries article seems unfortunate since its only result—if it has any result—is to affect the State adversely.

5. One- half of the states of the Union do not have an article on boundaries in their constitutions and it is obvious that the article is unnecessary.

Your committee has redrafted the article on boundaries in a form which it recommends if this article is to be retained in the Constitution.

The word "jurisdiction" in the first line of the reference draft deserves special attention. It did not appear in the Enabling Act of Congress, nor in the Constitution of 1818 but appeared first in the Constitution of 1848. It was copied by the rejected Constitution of 1862 and by the Constitution of 1870.

The word "jurisdiction" as here used is unnecessary for three reasons. In the first place it is obvious that the territorial jurisdiction of the State will be at least as large as its boundaries, and there is no occasion for asserting that fact in the Constitution. Again, many of the states which do have an article on boundaries in their constitutions omit the word "jurisdiction" from the article. Two notable examples of this are the states of Wisconsin and California. Finally, it should be obeserved that it is not correct to say that the jurisdiction of the State of Illinois is coextensive with its boundaries. The State, as a matter of fact, has jurisdiction in a number of instances beyond its boundaries as will be shown later. For these reasons the word "jurisdiction" should be omitted.

Turning now to the proviso which appears at the end of the article, it is obvious that the proviso is an exception made necessary by the use of the word "jurisdiction." There is an essential contradiction in the article when the proviso is considered, since the body of the article states that the "jurisdiction" is limited by the boundaries while the proviso at the end of the article lays down a contrary rule.

There are at least four instances in which the State of Illinois has been expressly granted jurisdiction beyond its boundaries. The Supreme Court of the United States in *Wedding* v. *Meyler,* 192 U. S. 573, 1904. held that the State of Illinois possessed a concurrent jurisdiction with Kentucky over the portion of the Ohio River which forms the boundary between the two states. This is due to an early Act of the State of Virginia providing for the formation of a state out of the "District of Kentucky" and giving concurrent jurisdiction to the states which might "possess the opposite shores" of the Ohio River. The Supreme Court of this State has discussed this concurrent jurisdiction in the case of Union Bridge Company v. Industrial Commission, 287 Ill. 396, 1919.

The Enabling Act of Congress for the State of Indiana granted to Indiana and Illinois concurrent jurisdiction over the Wabash River so far as that river forms the common boundray between the two states. (Act of Congress, 3 Stat. at Large, p. 289, 1816) This jurisdiction was reaffirmed in the Enabling Act for Illinois. (Act of Congress, 3 Stat. at Large, p. 428, 1818).

The Enabling Act for the State of Missouri gave to Illinois and Missouri concurrent jurisdiction over the Mississippi River where it forms the common boundary between the two states. (Act of Congress, 3 Stat. at Large, p. 545, 1820).

The Enabling Act for the State of Iowa gave a similar jurisdiction to Iowa and Illinois over the part of the Mississippi River which forms the common boundary between those two states. (Act of Congress, 5 Stat. at Large, p. 742, 1845).

The reference draft in the proviso contains the words "such further jurisdiction as this State and any bordering state may agree upon." A short consideration makes it apparent that these words were used advisedly. Thus it might become desirable for the State of Illinois to make an agreement with the State of Michigan or with the State of Indiana, or with both of them, concerning the middle waters of Lake Michigan. If the word "jurisdiction" is retained in the main body of the article it is necessary to retain some such phrase as that above quoted. But just as the omission of the word "jurisdiction" in the main body of the article makes it unnecessary to provide in the proviso for concurrent jurisdiction with other states which has already been established, so also it becomes unnecessary to provide in the proviso for possible concurrent jurisdiction to be acquired by agreement with other states in the future. Accordingly, your committee has omitted the proviso.

The incidental changes in phraseology made by your committee will now be considered. The word "to-wit" in the first line of the reference draft is omitted as unnecessary. The word "then" in the second line has been changed to "thence" since the idea expressed is one of distance and not of time; moreover, the word "thence" has been used elsewhere throughout the reference draft. The words "the same" have been stricken out for reasons given in the prior reports of this committee and the words "that river" substituted.

The phrase "* * * and with the line of Indiana to the Northwest corner of said State" seem to your committee uncertain in their meaning. The "line" referred to is of course an established line and language should be used to indicate how the line has been established. It was fixed by a survey made by a joint commission of the two states and the survey was approved by an Act of the General Assembly of Illinois. (February 17, 1823). Accordingly your committee in its draft has made reference to this Act of the General Assembly. The line as surveyed, however, begins on the north bank of the Wabash River and not at the "middle" of the river. To make a complete description of the boundary at this point it is necessary to project the surveyed line south to the middle of the river to close the gap. Your committee has, accordingly, described the Indiana-Illinois boundary in a manner to meet these two objections and has used such words as make the description of that boundary complete and exact.

The phrase "thence east with the line of the same State to the middle of Lake Michigan" your committee believes can better be expressed by "thence east along the northern boundary of the State of Indiana to the middle of Lake Michigan."

The word "north" your committee has changed to "northerly" since in the waters of Lake Michigan that change conforms to the facts.

The reference draft provides that the line in Lake Michigan shall extend "* * * north to the line of north latitude 42° 30′ as the same projected east was or may hereafter be ascertained, surveyed, estab-

lished and marked." It is obvious that the language here used is not consistent since the purpose is to describe the boundary as being fixed either by the line previously surveyed or a line which may be surveyed in the future. If the line should be surveyed in the future the questions arise: Which line would be the true boundary line under the language here used? Or would there be some sort of option to be exercised as between the two lines? Again, if the new line were to become the boundary line, is the language here used self-executing? This wording seems therefore unfortunate.

Your committee has already called attention to the fact that this line as surveyed is not true 42° 30′ north latitude. It follows as a matter of course that the surveyed line projected east in Lake Michigan will not be true 42° 30′ north latitude at the middle of the lake. It is not correct, therefore, to say that the line in Lake Michigan shall extend "North * * * to the line of north latitude 42° 30′ as the same projected east was" etc. Accordingly, your committee has rephrased this portion of the article to describe accurately the junction in Lake Michigan of the east and the north boundary line. The reference draft has described the north boundary of the State as being the line established and surveyed by the joint commission of the United States and Illinois. Your committee assumes that by so doing the Convention decided to adopt the line thus fixed.

The word "west" is changed to "westerly" since that change accords with the facts when the surveyed line is adopted. The word "down" is changed to "southerly" in describing the line in the Mississippi River since that change more directly describes the direction to be followed. In describing the boundary on the north bank of the Ohio River it is unnecessary to use the word "up" since the words "to the place of beginning" completely express the meaning intended.

In describing the boundary line where it has been fixed by rivers your committee has been careful to observe strictly the phraseology of the Enabling Act. It has been your committee's assumption that the Enabling Act operated as a grant from the Federal Government to the State of Illinois and the descriptive words of the grant have been carefully observed. It should be noted, however, that the word "middle" where it appears in the reference draft in connection with the Wabash River did not appear in the Constitution of 1870 or in any prior Constitution, or in the Enabling Act itself. This word was inserted by the Committee of the Whole. After careful consideration your committee has retained the word "middle" for that word has been used in prior Constitutions and in the Enabling Act in describing the waters of Lake Michigan and in describing the line in the Mississippi River. Furthermore, the word "middle" has been defined by the Supreme Court of the United States in a way that makes its use here proper. The court in that case was considering the precise phrase "middle of the Mississippi Rivers" as used in the Constitution of this State. (*Iowa v. Illinois*. 147 U. S., p 1).

In conclusion it may be said that if the Convention should decide to retain the article on boundaries, the draft submitted by your com-

mittee is intended to be precisely in accordance with the boundaries of the State as fixed by the Enabling Act of Congress and by the surveys authorized by the General Assembly of the State.

Report No. 6.

YOUR COMMITTEE ON PHRASEOLOGY AND STYLE, TO WHICH WAS REFERRED A PROPOSAL ENTITLED CORPORATIONS, (INTRODUCTION NO. 364, REFERENCE NO. 8) AS AMENDED IN COMMITTEE OF THE WHOLE, RESPECTFULLY REPORTS THAT IT HAS CONSIDERED SUCH PROPOSAL AND HEREWITH SETS FORTH IN PARALLEL COLUMNS SAID PROPOSAL AS ADOPTED IN COMMITTEE OF THE WHOLE ON THE LEFT, AND A SUBSTITUTE THEREFOR AS RECOMMENDED BY THIS COMMITTEE ON THE RIGHT.

RESOLVED, *That the following shall become a part of the Constitution of Illinois:*

Section 1. No corporation shall be created by special laws, or its charter extended, changed, or amended, except those for charitable, educational, penal or reformatory purposes, which are to be and remain under the patronage and control of the State, but the General Assembly shall provide by general law for the organization of all corporations hereafter to be created.	Section 1. No special law may grant or change any corporate powers, except those of educational, charitable, reformatory or penal corporations under the patronage and control of the State.
Section 2. The General Assembly shall provide, by law, that in all elections for directors or managers of incorporated companies every stockholder shall have the right to vote in person or by proxy, for the number of shares of stock owned by him, for as many persons as there are directors or managers to be elected, or to cumulate said shares, and give one candidate as many votes as the number of directors multiplied by the number of his shares of stock, shall equal, or to distribute them on the same principle among as many candidates as he shall think fit; and such directors or managers shall not be elected in any other manner. But provision may be made by law for the issuance of classes of stock with restricted, or without any voting power, and every certificate of stock shall show on its face its voting or non-voting character.	Section 2. In every election for directors each stockholder may cast, in person or by proxy, as many votes as shall equal the number of directors to be elected multiplied by the number of shares owned by him (excluding shares of restricted or no voting power, the certificates for which show them not entitled then to be voted) and may cumulate his votes for one candidate or distribute them among several.

Section 3. The State shall never engage in the business of banking, nor own, or be liable for, any stock in any corporation, joint stock company or association for banking purposes. Banks of money issue shall not be authorized or created.

Section 3. The State shall not authorize any bank of issue, nor conduct, nor own any interest in, nor incur any liability for, any banking business.

Section 4. Every stockholder in a corporation organized for banking purposes shall be liable to its creditors, over and above the amount of stock held by such stockholders, to an amount equal to such shares, for all its liabilities accruing while such shares were held by such stockholder. The General Assembly shall provide by law the manner in which such liability shall be enforced.

Section 4. Every stockholder of a bank shall be liable (in addition to any liability for his stock) to the amount of the par value of the stock held by him for liabilities of the bank accruing while he held such stock. The General Assembly shall provide by law the manner in which such obligation shall be enforced.

Section 5. The rolling stock and other movable property belonging to any railroad company or corporation in this State, shall be considered personal property, and shall be liable to execution and sale in the same manner as personal property of individuals, and the General Assembly shall pass no law exempting any such property from execution and sale.

Section 5. Rolling stock and other movable property of common carriers shall be subject to execution sale.

Section 6. The General Assembly shall never loan the credit of the State, or make appropriations from the treasury thereof, in aid of any railroad, and no county, city, town, township or other municipality, shall ever become subscriber to the capital stock of any railroad or private corporation, or make donation to, or loan its credit in aid of such corporation.

Section 6. Public funds or credit shall never be used to aid any private enterprise, or private corporation including railroads.

Section 7. No conrtact, obligation or liability whatever, of the Illinois Central Railroad Company, to pay any money into the State treasury, nor any lien of the State upon, or right to tax property of said company, in accordance with the provisions of the charter of said company, approved February tenth, in the year of our Lord one thousand eight hundred and fifty-one, shall ever be released, suspended, modified, altered, remitted, or in any manner diminished or impaired by legislative or other authority; and all moneys derived from said company after the payment of the State debt, shall be

Section 7. No right of the State under the charter of the Illinois Central Railroad Company shall ever be surrendered, and all money received from it shall be used only for State purposes.

appropriated and set apart for the payment of the ordinary expenses of the State government, and for no other purpose whatever.

Section 8. Railways heretofore constructed or that may hereafter be constructed in this State, are hereby declared public highways, and shall be free to all persons, for the transportation of their persons and property thereon, under such regulations as may be prescribed by law. And the General Assembly shall from time to time pass laws establishing reasonable maximum rates of charges for the transportation of passengers and freight on the different railroads in this State.

Section 9. The General Assembly shall pass laws to correct abuses and prevent unjust discriminations and extortion in the rates of freight and passenger tariffs on the different railroads in this State, and enforce such laws, by adequate penalties, to the extent, if necessary, for that purpose, of forfeiture of their property and franchises.

Sections 8 and 9 combined. Under reasonable maximum rates and regulations, as fixed by law, everyone shall have the equal right to have his person and property carried on railroads. The General Assembly shall prevent extortion and unjust discrimination in freight and passenger rates and shall correct abuses, by imposing penalties, including, if necessary, forfeiture of property and franchises.

Respectfully submitted,

ELAM L. CLARKE, *Chairman.*
THOMAS RINAKER,
CHARLES B. T. MOORE.
HERBERT E. TORRANCE,
EDWARD H. BREWSTER,
Committee on Phraseology and Style.

Memorandum from Committee on Phraseology and Style, Accompanying Report on Proposal No. 364, Being a Proposal Entitled "Corporations".

SECTION 1. The phrase "by special laws" modifies the verb "created" and appears to modify the verb "extended, changed, or amended," though this is apparent only from the context. The phrase is in the wrong place in the sentence to modify all of these verbs.

The word "those" in the second line appears to be a demonstrative pronoun but it is not clear to what it refers. Apparently the word "corporations" is to be supplied but this is an unhappy addition because it excepts plural "corporations" from the singular "no corporation".

The phrase "charitable, educational, penal or reformatory purposes" is vague. This phrase is in the Constitution of eleven states but it has had slight construction. The Supreme Court of Idaho had said that the special charter of a school district might be amended under a similar section. (Howard v. Indian School District, 17 Idaho 537.)

The Supreme Court of Colorado has held that the Legislature might pass a special Act incorporating the City of Denver under this section. (*Carpenter* v. *People*, 8 Colo. 116). Inasmuch as the Supreme Court of Illinois has said that this section has no application to municipal corporations, these decisions are apparently not in point in this State. (*Owners of Lands* v. *People*, 113 Ill. 296, 1885.) In view of the fact, however, that this phrase is in the Constitution of so many states it is likely in the course of time to acquire a construction and your committee does not recommend its omission.

The phrase "under the patronage and control of the State" is equally vague but it has been adopted by other States and in view of the likelihood of its being judicially construed, your committee does not recommend its omission.

Your committee thinks that it is not necessary to command the General Assembly to provide for incorporation by general law after that body has been forbidden to grant corporate powers by special law.

For the reasons given and to economize words your committee has redrafted the section in the form appearing above.

SECTION 2. The reference draft is ambiguous because it is not clear whether or not it is self-executing. The section confuses mandates to the General Assembly with self-executing provisions. The first sentence commences "The General Asembly shall provide" and ends "and such directors shall not be elected in any other manner". The second sentence begins "provision may be made" and likewise ends with what is apparently a self-executing mandate. The Supreme Court has held that the provision as it exists in the Constitution of 1870 is self-executing. (*Durkee* v. *People*, 155 Ill. 354, 1895.) Your committee believes that the Convention intended the section to be effective without legislation and accordingly has so phrased it.

The words "and managers" after the word "directors" have been omitted as unnecessary. The word "directors" is a term well known to the law and includes the members of the managing body whether called trustees, managers or by any other name.

The reference draft in providing that "every certificate of stock shall show on its face its voting or non-voting character" introduces a new and technical requirement into the law of corporations. It does not appear what the effect would be if the certificate of stock failed to contain this recital. Thus a court might hold that such a certificate was void or it might be held that the only effect was that the stockholder was entitled to vote. If the certificate be held void it does not appear what the remedies of the stockholders or subscribers would be.

In addition, this clause is objectionable because it contains no provision for preferred stock in the usual form which has voting power only upon a failure to pay dividends. Your committee believes that the Convention intended to premit such stock to be voted when dividends due on it are not paid and further intended to authorize the holder of such stock, when voting, to cumulate his votes. To meet these objections your committee has condensed this phrase to read "excluding shares of restricted or no voting power the certificates for which show

them not entitled then to be voted". Under this phraseology the only stock which may not be voted at a particular election is that stock which, under the terms of its certificates, is not entitled to be voted at that election.

The clause" or to cumulate said shares and give one candidate as many votes as the number of directors multiplied by the number of his shares of stock shall equal, or to distribute them on the same principle among as many candidates as he shall think fit" is clumsy and verbose. Your committee thinks this clause is more succinctly rendered by the words "may cumulate his votes for one candidate or distribute them among several".

SECTION 3. This section of the reference draft is a revised combination of sections 5 and 7 of Article 11 of the Constitution of 1870. The first sentence is taken from section 5 and the last is suggested by section 7. Section 7 of the Constitution of 1870 does not forbid banks of issue but forbids the suspension of specie payments by banks of issue. Since 1866 the issuance of bank notes and bills of credit by banks other than national banks has been effectively prohibited by a 10 per cent Federal tax. This was known to the framers of the Constitution of 1870 and section 7 was inserted to prevent the suspension of specie payment if the Federal statute should ever become inoperative. (Debates 1870, pp. 1678-85.) This Convention has taken the further step of prohibiting the creation of banks of issue.

Your committee has shortened the phrase "corporation, joint stock company, or association for banking purposes" to read "banking business." The latter phrase includes a bank operated by an individual as well as one operated by a corporation, joint stock company or association. Your committee assumes that it was intended to include within the purview of the section all classes of banks.

"Bank of issue" is used as equivalent to "banks of money issue".

The phrase "authorized or created" appears tautologous and the latter verb has been stricken.

In the interest of brevity your committee has rearranged the section.

SECTION 4. This section is similar to section 6 of article 11 of the present Constitution. The Supreme Court has held that the individual liability provided for in this section can not be enforced for the benefit of all the creditors by a receiver appointed by a court. (*Golden* v. *Cerranka;* 278 Ill. 409, 1917). The Convention has inserted the last sentence of the reference draft with the intention to repeal the rule thus laid down. Your committee understands that in making this addition the Convention did not intend to deprive the first portion of the section of its self-executing effect, i. e. the Convention intended that until the General Assembly acts each creditor may proceed against any stockholder as under the Constitution of 1870.

The word "bank" has been used by your committee as the equivalent of the phrase "corporation organized for banking purposes".

The words "over and above the amount of stock held by such stockholder" allude to the liability to the creditors of a corporation of those

stockholders who have not paid in the full par value of their stock. These words at one time led the Supreme Court into stating that each stockholder was liable to each creditor for twice the par value of his stock (*Dupee* v. *Swigert,* 127 Ill. 494, 1889), but the court later said that this expression was inadvertent. (*Golden* v. *Cervanka,* 278 Ill. 409, 1917). Your committee has used the phrase "in addition to any liability for his stock" as expressing more aptly the idea intended to be conveyed by these words.

Your committee has rephrased the section to avoid verbosity and state the intention more directly.

SECTION 5. Prior to 1870 the Supreme Court of Illinois had held that the rolling stock of railroads constituted real property at least for the purposes of railroad mortgages. (*Palmer* v. *Forbes,* 23 Ill. 301, 1860; *Hunt* v. *Bullock,* 23 Ill. 320, 1860; *Titus* v. *Mabee,* 25 Ill. 257, 1861). This section was inserted as section 10 of Article 11 in 1870 to change this rule. It is obvious that the section, if it achieved its object, would work a great hardship upon the mortgagee since it would require his mortgage to be executed in the form of a chattel mortgage and re-executed every two years in accordance with the Illinois statute. The mortgagee would be constantly compelled to reclaim his property after levy and execution sale. It appears that there are no decisions of the Supreme Court of Illinois construing this section. The Supreme Court of the United States has construed it, however, not to require the execution of a railroad mortgage in the form of a chattel mortgage. The Supreme Court thus in effect overrules the section. (*Hammock* v. *Loan and Trust Company,* 105 U. S. 77.)

Obiviously it is useless to define rolling stock as personal property unless the definition is made effective. Your committee has, therefore, omitted this portion of the section.

Your committee has changed the words "execution and sale" to "execution sale." The latter phrase more exactly expresses the meaning intended.

After it has been stated that rolling stock is subject to execution sale, it is needless to state that the General Assembly shall not exempt it from such sale and this portion of the clause has, therefore, been omitted.

SECTION 6. This section is similar to the second separate section of the Constitution of 1870. That section prohibits public aid to railroads or private corporations.

Section 9 of Article 9 of the Constitution of 1870 has a similar effect because it prohibits the imposition of taxes by municipalities except for corporate purposes and a gift to a private corporation is generally not for a corporate purpose. (*Mather* v. *City of Ottawa,* 114 Ill. 659, 1885). It will be noted that section 20 of Article 4 of the present Constitution has a similar object.

The term "railroads and private corporations" has been changed to read "any private enterprise or private corporation including railroads" because your committee thought that it was not the intention of the Convention to impliedly authorize public aid to private enterprises

which were conducted in some other than corporate form. The re-arrangement of these words is to avoid the application of the rule of *eiusdem generis.*

The section seems to your committee illogical and discursive and it has therefore been shortened to read as above set forth.

SECTION 7. This section is an example of weakening the force of a prohibition by multiplying words. (See Ilbert, "Mechanics of Law Making," p. 117).

The effect of the words "no contract, obligation or liability whatever, of the Illinois Central Railroad Company to pay any money into the State Treasury, nor any lien of the State upon or right to tax property of said company in acordance with the provisions of the charter of said company, approved February tenth, in the year of our Lord One Thousand Eight Hundred and Fifty-one" may be rendered by the words "no right of the State under the charter of the Illinois Central Railroad Company."

Similarly the verbs "shall evere be released, suspended, modified, altered or in any manner diminished or impaired" are tautologous and may be shortened to read "shall never be surrendered".

The reference draft provides that funds received from the Illinois Central Railroad Company shall be used (1) in payments of the State debt; (2) in payment of the ordinary and contingent expenses of the State Government. Your committee believes that it was the intention of the Convention merely to provide that the funds should be expended for State purposes rather than local purposes and that it was not the intention of the Convention to name any particular State purpose to which the funds should be applied. Your committee has, therefore, condensed this provision to the single phrase "for State purposes".

SECTIONS 8 and 9 Combined. Section 8 is the same as section 12 of Article 11 of the Constitution of 1870. The Supreme Court has said that railroads are public highways merely to the extent that all persons have an equal right upon them for travel and for the carriage of their goods and that the railroads are subject to control by governmental agencies so far as their relations with the public are concerned. (*T. P. & W. Ry. Co.* v. *Pence,* 68 Ill. 524, 1873; *Lord* v. *City of Chicago,* 274 Ill. 313, 1916). Your committee has therefore omitted the ambiguous term "public highways" and has combined the two clauses of the first sentence of section 8 to read "everyone shall have the equal right to have his person and property carried on railroads." The second sentence has been rephrased to read "under reasonable maximum rates and regulations as fixed by law."

Section 9 is the same as section 15 of Article 11 of the Constitution of 1870. The words "the General Assembly shall pass laws to correct abuses and prevent unjust discrimination and extortion" have been revised to read the "General Asembly shall prevent extortion and unjust discrimination". The section has been further revised to make its form briefer and more logical.

In making the changes in the section your committee has had no intention to change its meaning.

The foregoing reports numbered 4, 5 and 6 were ordered printed and the proposals, contained therein, placed on the order of second reading.

Special Order.

The Convention proceeding on the special order of the day, sections 6 and 7 of Proposal No. 366, as amended by the supplemental report of the Committee on Phraseology and Style, submitted to the Convention on January 3d, were taken up on the order of second reading and read at large.

Whereupon Mr. Barr moved that section 7 be adopted.

Pending consideration, at the hour of 11:58 o'clock a. m., Mr. Barr moved that the Convention do now take a recess until 2:00 o'clock p. m.

And the motion prevailed.

2:00 o'Clock P. M.

The hour of 2:00 o'clock p. m., having arrived the Convention resumed its session.

The President presiding.

The pending question, at the hour of taking a recess being the consideration of section 7, the same was again taken up.

Pending further consideration at the hour of 5:15 o'clock p. m., Mr. Barred moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

WEDNESDAY, FEBRUARY 1, 1922, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Charles A. Briggs, of the First Methodist Church, of Freeport.

The Journal of Tuesday, January 3d, having been printed, and placed on the desks of the Delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

The pending question, at the hour of adjournment on yesterday, being the consideration of section 7, the same was again taken up.

Pending discussion at the hour of 12:45 o'clock p. m., Mr. Barr moved that the Convention do now take a recess until 2:00 o'clock p. m.

And the motion prevailed.

2:00 o'Clock P. M.

The hour of 2:00 o'clock p. m., having arrived, the Convention resumed its session.

The President presiding.

The pending question, at the hour of taking a recess, being the consideration of section 7, of Proposal No. 366, the same was again taken up.

Pending discussion, Mr. Barr moved that debate be now closed and that the Convention proceed to vote.

And the motion prevailed.

Pending a call of the roll, Mr. Quinn offered the following amendment and moved its adoption:

Amend Section 7 of Article 4 by striking out the last paragraph of such section and inserting the following:

The General Assembly shall provide by appropriate legislation, as to counties entitled only to two members, in the House of Representatives, that both of such members may not be elected from the same political party, or group of petitioners or nominators, and as to counties entitled to only three or four members, in the House of Representatives, that no more than two of such members may be elected from the same political party or group of petitioners or nominators, and that in counties entitled only to five members, in the House of Representatives, no more than three of such members may be elected from the same political party or group of petitioners or nominators, and in counties entitled to more than five members, in the House of Representatives, such counties shall be divided into that number of legislative districts as may equal in number one-third of all the members, such county may be entitled to have in the House of Representatives, and by appropriate legislation it shall be provided that no more than two members from any such district may be elected from the same political party or group of petitioners or nominators.

If in forming such legislative districts, to provide for three members from each thereof, such county would be entitled to one or two additional members of the General Assembly, by reason of its population, then and in such event a district shall be formed from which less than three members may be elected, no more than one of whom may be elected from the same political party or group of petitioners or nominators.

The Legislature shall also provide that no political party or group of petitioners or nominators in any county or district shall be allowed to make any such nominations unless it shall nominate as many candidates as the district for which such nominations are made is entitled to elect to the House of Representatives.

All legislative districts shall be formed of compact and contiguous territory bounded by precinct lines and containing as nearly as practicable an equal number of inhabitants.

Mr. Dunlap raised the point of order that the amendment was not in order for the reason that a motion had been put and carried "that debate be now closed and that the Convention proceed to vote."

And the point of order was sustained by the Chair.

The question then being, on the adoption of section 7, of Proposal No. 366, a call of the roll was had, resulting as follows: Yeas, 50; nays, 31.

Those voting in the affirmative are: Messrs.

Adams	Elting	Ireland	Mighell	Shuey
Brandon	Fifer	Jack	Mills	Six
Brewster	Garrett	Jarman	Moore	Smith
Cary, C. D.	Gee	Johnson, L. C.	Nichols	Sneed
Catron	Gilbert	Johnson, W. A.	Paddock	Stahl
Clarke	Goodyear	Kerrick	Parker	Taff
Coolley	Gray	Lindly	Pearce	Tanner
Corlett	Green	Mack	Pinnell	Todd
Dryer	Hogan	McGuire	Rinaker	Wall
Dunlap	Hollenbeck	Meinert	Shaw	Warren

Yeas—50.

Those voting in the negative are: Messrs.

Adamkiewicz	Davis	Hamill	Pincus	Tebbens
Barr	Dawes	Hull	Quinn	Torrance
Beckman	De Young	Latchford	Rosenberg	Traeger
Brenholt	Dupuy, G. A.	Lill	Scanlan	Trautmann
Carlstrom	Fyke	Miller	Shanahan	Wolff
Cruden	Gale	Morris	Sutherland	Mr. President
Cutting				

Nays—31.

Pending the announcement of the vote, Mr. Barr, changed his vote from aye to no, and afterwards gave notice that on the next Convention day he would move to reconsider the vote by which section 7, of Proposal No. 366, was lost.

The President then announced that section 7 having failed to receive the votes of a majority of the Delegates elected, was declared lost.

Upon request of their colleagues, Delegates, Whitman, Kunde, Dietz, O'Brien, Revell and Iarussi were excused from attendance at todays session of the Convention.

At the hour of 5:30 o'clock p. m., Mr. Dunlap moved that the Convention do now adjourn until 10:00 o'clock a. m., tomorrow.

Mr. Treager moved to amend the motion to adjourn to read 9:00 o'clock a. m.

And the question being on the adoption of the amendment, it was decided in the negative.

The question recurring on the motion of Mr. Dunlap.

It was decided in the affirmative.

And the Convention stood adjourned.

THURSDAY, FEBRUARY 2, 1922, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Charles A. Briggs, of the First Methodist Church, of Freeport.

The Journal of Tuesday, January 31st, having been printed, and placed on the desks of the Delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

The President, as chairman, laid before the Convention the following report from the Committee on Rules and Procedure, to-wit:

Committee Report.

Your Committee on Rules and Procedure recommend that section six, of Report No. 12, from the Committee on Phraseology and Style, now pending on second reading, be made a special order for Thursday, February second, 1922, and each succeeding convention day thereafter until disposition thereof on second reading.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

Special Order.

The Convention proceeding on the special order of the day, section 6, of Proposal No. 366, as amended by the supplemental report, of the Committee on Phraseology and Style, submitted to the Convention on January 3d, was taken up on the order of second reading and read at large.

Pending discussion, at the hour of 11:15 o'clock a. m., Mr. Dunlap moved that the Convention do now take a recess until 2:00 o'clock p. m.

And the motion prevailed.

2:00 o'Clock P. M.

The hour of 2:00 o'clock p. m., having arrived, the Convention resumed its session.

The President presiding.

Mr. Barr, in accordance with his notice of yesterday, moved to reconsider the vote by which section 7, of Proposal No. 366, was lost and that consideration of said motion to reconsider be postponed and made a special order for Tuesday, February 7, 1922, at 2:00 o'clock p. m.

And the motion prevailed.

At the hour of 4:00 o'clock p. m., Mr. Barr moved that the Convention do now adjourn until Tuesday, February 7, 1922, at 10:00 o'clock a. m.

The motion prevailed.

And the Convention stood adjourned.

TUESDAY, FEBRUARY 7, 1922, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Jerry Wallace, Rector of the Christ Episcopal Church, of Springfield.

The Journal of Wednesday, February 1st, having been printed, and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The pending question at the hour of adjournment on February 2d, being the consideration of section 6, of Proposal No. 366, the same was again taken up.

Pending discussion, Mr. Cutting, rose to a question of personal privilege and offered the following protest, which was received and ordered incorporated in the Journal of the Convention, to-wit:

On February 3d there appeared in the daily newspapers a statement purporting to have been prepared by Mr. F. Scott McBride, Superintendent of the Anti-Saloon League of Illinois, and reading in part as follows:

"The Anti-Saloon League is just beginning to fight in the Constitutional Convention."

"The wets and other doubtful interests now have forced us to go into the open in this fight in behalf of good government. A big majority of the members of the Constitutional Convention—many of them from Cook County—have been elected with the aid and support of the Anti-Saloon League, but these special interests have whipped all of the Cook County men into line in opposition to the county representation plan."

"If the limitation in both Houses is defeated, it will mean that the wets and other doubtful interests of the State of Illinois have written for the people the draft of the new Constitution."

"Better a thousand times have no new Constitution than one that will put the State of Illinois on its knees before the corrupt interests. The methods used by these same forces to defeat county representation are an example of what would happen to the State if a majority were given in either House."

With sincere regret that Mr. McBride should assume to issue so intemperate and unwarranted a statement on behalf of a League with whose true purpose and proper function we are in hearty sympathy, the undersigned members of the Constitutional Convention from Cook County, elected with the approval of the Anti-Saloon League (although, of course, unpledged as to any specific action) are constrained, in justice to our colleagues in the Convention and to the State itself, to ask as a matter of personal privilege, that this statement and protest be spread upon the records of this Convention.

As representing our constituencies (both local and State-wide) we have insisted—differing from many in our own county, who have thought that if possible there should be no limitation upon our representation—that the House of Representatives should be a popular house, and have been unwilling to sacrifice the principle of the rule of the majority to any special interest whatever. This matter has to do entirely with the organization of the General Assembly, which controls all matters of legislation and not alone those relating to the liquor traffic.

What does Mr. McBride mean by the phrase, "just beginning to fight in the Constitutional Convention", and by "going into the open in this fight"?

Does he mean that he is going to use the funds contributed to the Anti-Saloon League for the purpose of securing enforcement of the prohibition laws, in a campaign to defeat the new Constitution at the polls, if it does not contain county representation and does not limit Cook County in both branches of the General Assembly?

Does he mean that he is going to use these funds, thus contributed, in an effort to defeat for office men, known to be "drys" and staunch champions of moral legislation, who may happen to be candidates for public office, merely because they have disagreed with his personal views on this question of limiting representation?

When he says, "better a thousand times have no new Constitution, etc.," does he signify, not only that Anti-Saloon funds will be diverted from the vital and desirable purpose of law enforcement for which they were given, but also that he will favor and urge a continued violation of the present Constitution (which will remain in force, if the new document is defeated) in the matter of legislative apportionment? We protest that our demands for enforcement of the Federal Constitution would be weakened, should our natural allies thus demand simultaneously a violation of the State Constitution.

Does Mr. McBride seriously suggest that we, or any other members of this Convention, who had Anti-Saloon League endorsement have been subject to "wet" influences in this matter?

What are the "other doubtful interests" to which he refers in the same connection?

Do they include, the Chicago Bar Association, the City Club, the Citizens' Association, the Chicago Woman's Club, the Woman's City Club, the Chicago Rotary Club, the Chicago Association of Commerce and the many other civic organizations, which have disagreed with Mr. McBride? Do they include, the Rev. Herbert L. Willett, formerly President of the Chicago Church Federation, now Vice-Chairman of the Citizens' Committee for Proportional Representation; numerous other ministers of the gospel, and the Presbytery of Chicago—all of these having publicly taken an issue with Mr. McBride's theories of representation?

Mr. McBride's grievance seems to be particularly directed to the Cook County delegates who received the aid and support of the Anti-Saloon League, and yet, a large number of the delegates representing down-State constituencies were opposed to the plan which he favors and were without the embarrassment which any delegate from Cook County would have in voting away political rights heretofore always legally in the possession of his own constituents.

The plain implication of this statement is that the "big majority of the members of the Convention" who received the support of the League or its members at the election, owe a debt which can be satisfied only by a surrender of their judgments with respect to the most important measure before the Convention, to-wit: the one involving the fundamental question of political equality.

We respectfully submit that the "big majority of the members of the Convention" whether from Cook County or from down-State and whether supported by Mr. McBride or not, are under no obligation to surrender their judgments in advance to any person or organization, and that the assumption that they are under such an obligation is an assertion of the right to boss the Convention, and ought to be recognized as such. And if bossism is a vice of our political life, it has no exception which would permit the Anti-Saloon League to practice it, especially in a field so far removed from its proper sphere as this is recognized to be, both by lay and clerical supporters of the Anti-Saloon League's cause.

We therefore, most earnestly protest, in justice to our colleagues in the Convention and their disinterested efforts for the public good, against this threat of domination by an outside influence.

We specifically deny each and all of Mr. McBride's implied charges and insinuations, knowing them to be untrue as to ourselves and believing them to be just as untrue of every other member of this Convention.

Respectfully submitted,

(Signed) Wm. H. Beckman,
Rufus C. Dawes,
Charles S. Cutting,
Morton D. Hull,
George A. Dupuy,
Douglas Sutherland.

At the hour of 12:35 o'clock p. m., Mr. Hamill moved that the Convention do now take a recess until 2:00 o'clock p. m.

And the motion prevailed.

2:00 o'Clock p. m.

The hour of 2:00 o'clock p. m. having arrived the Convention resumed its session.

The President presiding.

Special Order.

The Convention proceeding on the special order of the day, being the motion to reconsider the vote by which section 7 of Proposal No. 366 was lost, the same was taken up.

Whereupon Mr. Barr moved that further consideration of said motion be postponed and made a special order for 5:00 o'clock p. m., of this day.

And the motion prevailed.

At the hour of 2:10 o'clock p. m., Mr. Barr moved that the Convention do now take a recess until 4:00 o'clock p. m.

And the motion prevailed.

4:00 o'Clock p. m.

The hour of 4:00 o'clock p. m. having arrived the Convention resumed its session.

The President presiding.

The pending question at the hour of taking a recess being the consideration of section 6, of Proposal No. 366, the same was again taken up.

Whereupon Mr. Barr offered the following substitute for section 6, and moved its adoption:

Section 6. The General Assembly shall apportion the State at any session which may be then pending or, if none, then at its first session following the adoption of this Constitution and in the year 1933 and every twelve (12) years thereafter, into fifty-seven (57) senatorial districts, each of which shall elect one Senator whose term of office shall be four (4) years and the basis of senatorial apportionment shall be the number of voters who voted for Governor at the last regular election at which a Governor was elected previous to the apportionment.

The territory now constituting the County of Cook shall be divided by the General Assembly into nineteen (19) senatorial districts and the number of such voters in that territory shall be divided by the number nineteen (19) and the quotient shall be the ratio of representation in the Senate for that territory.

The territory now constituting the remainder of the State shall be divided by the General Assembly into thirty-eight (38) senatorial districts and the number of such voters in that territory shall be divided by the number thirty-eight (38) and the quotient shall be the ratio of representation in the Senate for that territory.

When a county contains two (2) or more ratios of its territory it shall be divided by the General Assembly into as many senatorial districts as it has such ratios. Districts in counties so divided shall be bounded by precinct or ward lines, or both, all other senatorial districts shall be bounded by county lines.

All senatorial districts shall be formed of compact and contiguous territory and the districts in each territory shall contain as nearly as practicable an equal number of such voters, but in no case less than four-fifths (4/5) of the ratio for that territory.

Senators shall be so elected that the term of those now in office shall not be disturbed. Senators shall be divided into two classes so that one-half as nearly as practicable shall be chosen biennially.

The question being on the adoption of the substitute, a call of the roll was had, resulting as follows: Yeas, 81; nays, 1.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Green	McGuire	Shanahan
Adamkiewicz	Dietz	Hamill	Meinert	Shaw
Barr	Dryer	Hogan	Michal	Shuey
Beckman	Dunlap	Hollenbeck	Mighell	Six
Brandon	Dupuy, G. A.	Hull	Mills	Smith
Brenholt	Elting	Ireland	Moore	Sneed
Brewster	Fifer	Jack	Nichols	Sutherland
Cary, C. D.	Frole	Jarman	O'Brien	Taff
Carlstrom	Fyke	Johnson, L. C.	Paddock	Tebbens
Catron	Gale	Johnson, W. A.	Parker	Torrance
Chew	Ganschow	Kerrick	Pincus	Traeger
Clarke	Garrett	Kunde	Pinnell	Trautmann
Coolley	Gee	Latchford	Quinn	Warren
Corlett	Gilbert	Lill	Rinaker	Wilson
Cruden	Goodyear	Lindly	Rosenberg	Wolff
Cutting	Gray	McEwen	Scanlan	Mr. President
Davis				

Yeas—81

Those voting in the negative are: Mr.

Morris

Nays—1

The substitute for section 6, of Proposal No. 366, having received the votes of a majority of the Delegates elected, was declared passed and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Upon request of their colleagues, Delegates Wall, Tanner, Whitman, Mack, Iarussi, Stahl, Pearce and Miller were excused on account of illness.

Special Order.

The Convention again proceeding on the special order set for this hour, the same was taken up.

And the question being on the motion of Mr. Barr to reconsider the vote by which section 7, of Proposal No. 366, was lost.

It was decided in the affirmative.

Mr. Gale thereupon offered the following substitute for section 7, and moved its adoption:

Section 7. The General Assembly whenever the State shall be apportioned into senatorial districts, shall apportion the State into 153 representative districts each of which shall elect one representative whose term of office shall be two years and the basis of representative apportionment shall be the number of voters who voted for Governor at the last regular election,

at which a Governor was elected previous to the apportionment. Representative districts shall be formed of contiguous and compact territory bounded by county lines and contain as nearly as practicable an equal number of voters, but no district shall contain less than four-fifths (4/5) of the representative ratio.

Counties containing not less than the ratio and three-fourths (3/4) shall be divided into separate districts and shall be entitled to two representatives and to one additional representative for each number of such voters equal to the ratio contained by said counties in excess of twice the number of said ratio; and such separate districts shall be formed of compact and contiguous territory, bounded by township, ward or precinct lines and containing as nearly as practicable an equal number of such voters, but in no case less than four-fifths (4/5) of the ratio.

Pending consideration, Mr. Quinn offered the following amendment to the substitute, and moved its adoption:

Amend the substitute by striking out all of the same after the words "Section 7" and inserting the following:

AMENDMENT No. 1.

At the same time that the senatorial apportionment is made the State shall be apportioned into fifty-one representative districts, each to contain, as nearly as practicable that number of voters, as may be equal to the total number of votes divided by fifty-one cast for the office of Governor at the last regular election at which a Governor was elected previous to the time of such apportionment.

From each of such districts three members shall be elected to the House of Representatives for the term of two years. Such districts shall be formed of compact and contiguous territory bounded by county lines, where the whole of one or more counties form such a district and by ward or precinct lines where one county shall contain more than one such district.

The General Assembly shall provide by appropriate legislation that more than two members of the House of Representatives, for any district, may not be elected from the same political party, or group of petitioners or nominators.

The Legislature shall also provide that no political party or group of petitioners or nominators in any district shall be allowed to make any nominations for members in the House of Representatives unless it shall nominate as many candidates as the district, for which such nominations are made, is entitled to elect to the House of Representatives.

The question being on the adoption of the amendment offered by Mr. Quinn, on demand of five Delegates a call of the roll was had, resulting as follows: Yeas, 21; nays, 58.

Those voting in the affirmative are: Messrs.

Adamkiewicz	Fyke	McEwen	Rinaker	Sneed
Davis	Ganschow	Michal	Rosenberg	Sutherland
Dawes	Kunde	O'Brien	Shanahan	Tebbens
Dietz	Latchford	Quinn	Six	Traeger
Frole				

Yeas—21.

Those voting in the negative are: Messrs.

Barr	Cruden	Gray	Lill	Pinnell
Beckman	Cutting	Green	Lindly	Shaw
Brandon	Dryer	Hamill	McGuire	Shuey
Brenholt	Dunlap	Hogan	Meinert	Smith
Brewster	Dupuy, G. A.	Hollenbeck	Mighell	Taff
Cary, C. D.	Elting	Hull	Mills	Torrance
Carlstrom	Fifer	Ireland	Moore	Trautmann
Catron	Gale	Jack	Morris	Warren
Chew	Garrett	Jarman	Nichols	Wilson
Clarke	Gee	Johnson, L. C.	Paddock	Wolff
Coolley	Gilbert	Johnson, W. A.	Parker	Mr. President
Corlett	Goodyear	Kerrick		

Nays—58.

And the amendment was lost.

Mr. Jarman offered the following amendment to the substitute and moved its adoption:

AMENDMENT No. 2.

Amend the substitute by adding at the end thereof the following: "but no county or territory thereof as now organized, shall have more than seventy-six (76) members of the House of Representatives."

The question being on the adoption of the amendment offered by Mr. Jarman, on demand of five Delegates a call of the roll was had, resulting as follows: Yeas, 37; nays, 43.

Those voting in the affirmative are: Messrs.

Adams	Dunlap	Hollenbeck	Lindly	Pinnell
Barr	Elting	Ireland	McGuire	Rinaker
Brandon	Fifer	Jack	Meinert	Shaw
Brewster	Gee	Jarman	Mighell	Shuey
Cary, C. D.	Gilbert	Johnson, L. C.	Mills	Six
Chew	Goodyear	Johnson, W. A.	Nichols	Smith
Coolley	Gray	Kerrick	Parker	Taff
Corlett	Hogan			

Yeas—37.

Those voting in the negative are: Messrs.

Adamkiewicz	Dawes	Green	Morris	Sutherland
Beckman	Dietz	Hamill	O'Brien	Tebbens
Brenholt	Dryer	Hull	Paddock	Torrance
Carlstrom	Dupuy, G. A.	Kunde	Pincus	Traeger
Catron	Frole	Latchford	Quinn	Trautmann
Clarke	Fyke	Lill	Rosenberg	Wilson
Cruden	Gale	McEwen	Shanahan	Wolff
Cutting	Ganschow	Michal	Sneed	Mr. President
Davis	Garrett	Moore		

Nays—43.

And the amendment was lost.

The question recurring on the adoption of the substitute for section 7, a call of the roll was had, resulting as follows: Yeas, 76; nays, 6.

Those voting in the affirmative are: Messrs.

Adams	Davis	Hamill	Michal	Shaw
Adamkiewicz	Dawes	Hogan	Mills	Shuey
Barr	Dietz	Hollenbeck	Moore	Six
Beckman	Dryer	Hull	Morris	Smith
Brandon	Dunlap	Ireland	Nichols	Sneed
Brenholt	Dupuy, G. A.	Jack	O'Brien	Sutherland
Brewster	Fifer	Johnson, L. C.	Paddock	Tebbens
Cary, C. D.	Frole	Kerrick	Parker	Torrance
Carlstrom	Fyke	Kunde	Pincus	Traeger
Catron	Gale	Latchford	Pinnell	Trautmann
Chew	Ganschow	Lill	Quinn	Warren
Clarke	Garrett	Lindly	Rinaker	Wilson
Coolley	Gilbert	McEwen	Rosenberg	Wolff
Corlett	Goodyear	McGuire	Scanlan	Mr. President
Cruden	Gray	Meinert	Shanahan	
Cutting	Green			

Yeas—76.

Those voting in the negative are: Messrs.

Elting	Jarman	Johnson, W. A.	Mighell	Taff
Gee				

Nays—6.

The substitute for section 7, of Proposal No. 366, having received the votes of a majority of the Delegates elected, was declared passed and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

At the hour of 7:10 o'clock p. m., Mr. Green moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

WEDNESDAY, FEBRUARY 8, 1922, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Jerry Wallace, Rector of the Christ Episcopal Church, of Springfield.

The Journal of Thursday, February 2d, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

The President, as chairman, laid before the Convention the following report from the Committee on Rules and Procedure, to-wit:

Committee Report.

Your Committee on Rules and Procedure recommends that Sections 1, 2, 3 and 4 of Report No. 11, from the Committee on Phraseology and Style, now pending on second reading, be made a special order for Wednesday, February 8, 1922, and each succeeding convention day thereafter until disposition thereof on second reading, said sections to be considered together and to be voted upon separately and in the order above named.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

Special Order.

The Convention proceeding on the special order of the day, sections 1, 2, 3 and 4 of Proposal No. 378, as amended by the report of the Committee on Phraseology and Style, submitted to the Convention on September 6, 1921, was taken up on the order of second reading and read at large.

Pending consideration, at the hour of 12:30 o'clock p. m., Mr. Hamill moved that the Convention do now take a recess until 2:00 o'clock p. m.

And the motion prevailed.

2:00 o'Clock P. M.

The hour of 2:00 o'clock p. m., having arrived the Convention resumed its session.

The President presiding.

The pending question, at the hour of taking a recess, being the motion to adopt sections 1, 2, 3 and 4 of Proposal No. 378, the same were againg taken up.

Whereupon Mr. Gale offered the following substitute for section 1, and moved its adoption:

Section 1. The power of taxation shall never be surrendered, suspended nor contracted away. Taxes shall be levied and collected only under general laws and for public purposes. No income taxes shall be levied, except at a uniform rate with exemption of not less than five hundred dollars ($500.00) nor more than two thousand dollars ($2,000.00) of annual income to any one person or corporation.

Pending consideration, Mr. Hamill offered the following amendment to the substitute and moved its adoption:

AMENDMENT No. 1.

Amend the substitute by striking out the words "less than five hundred dollars ($500.00) nor."

And the amendment was adopted.

Mr. Nichols offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend the substitute by adding the word "no" before, and the word "therefrom" after the word "exemption" and by striking out all of the substitute after the word "exemption".

The question being on the adoption of the amendment offered by Mr. Nichols, on demand of five Delegates, a call of the roll was had, resulting as follows: Yeas, 15; nays, 36.

Those voting in the affirmative are: Messrs.

Cary, C. D.	Ireland	Nichols	Smith	Wilson
Clarke	Johnson, L. C.	Rinaker	Torrance	Woodward
Green	Morris	Shanahan	Warren	Yeas—15.
Hollenbeck				

Those voting in the negative are: Messrs.

Adams	Dawes	Hamill	Lindly	Shaw
Barr	Dunlap	Hogan	McGuire	Six
Brandon	Dupuy, G. A.	Hull	Meinert	Sneed
Brenholt	Gale	Jack	Mighell	Sutherland
Brewster	Goodyear	Jarman	Mills	Taff
Carlstrom	Gorman	Johnson, W. A.	Moore	Trautmann
Catron	Gray	Kerrick	Scanlan	Mr. President
Coolley				Nays—36.

And the amendment was lost.

At the hour of 5:15 o'clock p. m., Mr. Green moved that the Convention do now adjourn until 9:00 a. m., tomorrow.

The motion prevailed.

And the Convention stood adjourned.

THURSDAY, FEBRUARY 9, 1922, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Jerry Wallace, Rector of the Christ Episcopal Church, of Springfield.

The Journal of Tuesday, February 7th, having been printed, and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The pending question at the hour of adjournment on yesterday, being the consideration of the substitute for section 1, of Proposal No. 378, offered by Mr. Gale, the same was again taken up.

Whereupon Mr. Sutherland offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend the substitute by striking out the words and figures "two thousand dollars ($2,000.00)" in line 7 and substituting therefor the words and figures "fifteen hundred dollars ($1,500.00)".

And the amendment was lost.

Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 4.

Amend the substitute by striking out the words and figures "two thousand dollars ($2,000.00)" in line 7 and substituting therefor the words and figures "one thousand dollars ($1,000.00)".

And the question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 18; nays, 24.

And the amendment was lost.

Mr. Sutherland offered the following amendment and moved its adoption:

AMENDMENT No. 5.

Amend the substitute by striking out all after the word and figure "Section 1" and inserting in lieu thereof the following:

"The power to taxation shall never be surrendered, suspended or contracted away. Taxes shall be levied and collected only under general laws and for public purposes. The burdens of taxation shall be so distributed that every person and corporation shall pay his, her or its proportionate share of the expenses of government."

And the amendment was lost.

Mr. Brandon offered the following amendment and moved its adoption:

AMENDMENT No. 6.

Amend the substitute by striking out all after the word "purposes" in line 4 and substituting the following:
"If an income tax be levied at a graduated and progressive rate the highest rate shall not exceed four times the lowest rate (and no exemption of more than $1,000.00 of annual income shall be allowed to any one person or corporation) if such tax be levied at a uniform rate there shall be no exemption therefrom of more than $2,000.00 of annual income to any one person or corporation."

Pending consideration, at the hour of 11:15 o'clock a. m., Mr. Gale moved that the Convention do now adjourn until Tuesday, February 14, 1922, at 10:00 o'clock a. m.

The motion prevailed.

And the Convention stood adjourned.

TUESDAY, FEBRUARY 14, 1922, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. John F. Vonckx, of the First Presbyterian Church, of Ottawa.

The Journal of Wednesday, February 8th, having been printed, and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The pending question at the hour of adjournment on February 9th, being the consideraion of Amendment No. 6, offered by Mr. Brandon to the substitute for section 1, of Proposal No. 378, offered by Mr. Gale, the same was again taken up.

At the hour of 12:00 o'clock noon, Mr. Green moved that the Convention do now take a recess until 2:00 o'clock p. m.

And the motion prevailed.

2:00 O'CLOCK P. M.

The hour of 2:00 o'clock p. m., having arrived, the Convention resumed its session.

The President presiding.

The pending question at the hour of taking a recess being the consideration of Amendment No. 6, offered by Mr. Brandon to the substitute for section 1, of Proposal No. 378, offered by Mr. Gale, the same was again taken up.

At the hour of 5:25 o'clock p. m., Mr. Green moved that the Convention do now adjourn until 9:00 o'clock a. m., tomorrow.

The motion prevailed.

And the Convention stood adjourned.

WEDNESDAY, FEBRUARY 15, 1922, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. John F. Vonckx, of the First Presbyterian Church, of Ottawa.

The Journal of Thursday, February 9th, having been printed, and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The pending question at the hour of adjournment on yesterday, being the consideration of Amendment No. 6, offered by Mr. Brandon to the substitute for section 1, of Proposal No. 378, offered by Mr. Gale, the same was again taken up.

At the hour of 11:00 o'clock a. m., Mr. Gale moved that the Convention do now take a recess until 2:00 o'clock p. m.

And the motion prevailed.

2:00 o'Clock P. M.

The hour of 2:00 o'clock p. m., having arrived, the Convention resumed its session.

The President Presiding.

The pending question, at the hour of taking a recess being the consideration of Amendment No. 6, offered by Mr. Brandon, to the substitute for section 1, of Proposal No. 378, offered by Mr. Gale, the same was again taken up.

And the question being on the adoption of Amendment No. 6, to the substitute for section 1.

It was decided in the negative.

The question recurring on the adoption of the substitute for section 1, as amended.

Mr. Green moved that the same be laid on the table.

And the question being on the motion to table, it was decided in the affirmative.

Whereupon Mr. Clarke moved that section 1, of the report of the Committee on Phraseology and Style, on Proposal No. 378, be adopted.

Pending consideration, Mr. Rinaker offered the following amendment and moved its adoption:

Amendment No. 1.

Amend Section 1, by striking out the word "or" after the word "surrendered" and by adding after the word "suspended" the following "or contracted away."

And the amendment was adopted.

At the hour of 3:30 o'clock p. m., Mr. Dunlap moved that the Convention do now take a recess until 4:00 o'clock p. m.

And the the motion prevailed.

4:00 o'Clock P. M.

The hour of 4:00 o'clock p. m., having arrived, the Convention resumed its session.

The President presiding.

The pending question, at the hour of taking a recess, being the consideration of the motion of Mr. Clarke that section 1, of the report of the Committee on Phraseology and Style, on Proposal No. 378, be adopted, the same was taken up.

Pending discussion, at the hour of 5:05 o'clock p. m., Mr. Green moved that the Convention do now resolve itself into a Committee of the Whole for the purpose of considering revenue questions upon the following propositions, to-wit:

(1) Shall the Constitution require the Legislature to provide for a uniform rate if an income tax be levied.

(2) Shall exemptions be limited to income from personal services or shall exemptions be allowed from incomes both from property and personal services.

(3) Shall the Constitution forbid the General Assembly imposing an advalorem tax upon property the income of which is taxed.

(4) Shall all exemptions from income taxes be forbidden.

(5) Shall the General Assembly be required, if it levies an income tax, to fix the same rate upon incomes from property that are fixed upon incomes from other sources.

(6) Shall the General Assembly be limited to providing revenue only by a general property tax.

(7) Shall the Constitution forbid the General Assembly making any form of classification of property for taxation.

Mr. Jarman moved as a substitute that the Convention resolve itself into a Committee of the Whole for the purpose of considering the subject of revenue.

The question being on the substitute motion, a division of the Convention was had, resulting as follows: Yeas, 24; nays, 32.

And the substitute was lost.

The question recurring on the motion of Mr. Green, it was decided in the affirmative.

The President thereupon called Mr. Gale to the chair.

And at the hour of 5:45 o'clock p. m., the Convention went into Committee of the Whole for the purpose of considering the propositions above set forth.

At the hour of 10:25 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Gale, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

At the hour of 10:30 o'clock p. m., Mr. Hamill moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

THURSDAY, FEBRUARY 16, 1922, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. John F. Vonckx, of the First Presbyterian Church, of Ottawa.

The Journal of Tuesday, February 14th, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

Mr. Fifer moved that when the Convention adjourns today, it stand adjourned until Tuesday, February 21, 1922, at 10:00 o'clock a. m.

And the motion prevailed.

Mr. Gale moved that the Convention do now resolve itself into a Committee of the Whole for the purpose of further considering revenue questions.

And the motion prevailed.

The President thereupon called Mr. Gale to the chair.

And at the hour of 10:25 o'clock a. m., the Convention went into Committee of the Whole.

At the hour of 12:22 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Gale, from the Committee of the Whole, reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

At the hour of 12:30 o'clock p. m., Mr. Cutting moved that the Convention do now adjourn.

Mr. Lindly moved as a substitute that the Convention do now take a recess until 2:00 o'clock p. m.

And the motion prevailed.

2:00 O'CLOCK P. M.

The hour of 2:00 o'clock p. m., having arrived, the Convention resumed its session.

The President presiding.

Mr. Jarman moved that a committee of seven Delegates be appointed by the President, to adjust the differences and to consider and correlate into one concrete article the proposals and suggestions on revenue, now before the Convention.

And the motion prevailed.

The President thereupon appointed as such committee, Delegates Jarman, Chairman; Rinaker, Fifer, Hamill, Shanahan, Lindly and Taft.

At the hour of 2:20 o'clock p. m., Mr. Green, moved that the Convention do now adjourn.

The motion prevailed.

And in accordance with the motion heretofore adopted, the Convention stood adjourned until Tuesday, February 21, 1922, at 10:00 o'clock a. m.

TUESDAY, FEBRUARY 21, 1922, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Francis H. DeVol, of the First Christian Church, of Washburn.

The Journal of Wednesday, February 15th, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

At the hour of 10:30 o'clock a. m., Mr. Jarman moved that the Convention do now take a recess until 2:00 o'clock p. m.

And the motion prevailed.

2:00 O'CLOCK P. M.

The hour of 2:00 o'clock p. m., having arrived, the Convention assumed its session.

The President presiding.

Mr. Gale, from the Committee of the Whole, further supplementing his report made to the Convention, on Thursday, last, reported as follows:

The Committee of the Whole having under consideration the propositions embodied in the motion pursuant to which the Convention was resolved into Committee of the Whole, has considered four of the seven questions under consideration.

In Committee of the Whole some of the questions and propositions were modified and considered by the committee in modified form.

Proposition No. 1, was modified to read as follows:

"Shall the Revenue Article of the Constitution provide or require that if a general income tax be levied on income from whatever source derived, that the same be levied at uniform rate as distinguished from progressive rate?"

On this question the affirmative votes were 22; and the negative votes were 30.

The Committee on the Whole next considered question No. 4.

"Shall all exemptions from income taxes be forbidden?"

On this question the affirmative votes were 9, the negative votes 38.

The next question considered in the Committee of the Whole was question No. 5, modified to read as follows:

"Shall the General Assembly be precluded from placing a different rate upon income derived from property from that imposed upon income derived from other sources?"

On this question the affirmative votes were 5, the negative votes 37.

The Committee of the Whole then considered question No. 2, which was modified to read as follows:

"Shall exemptions from income taxes be limited to income from personal services, or shall exemptions be allowed from incomes both from property and from personal services."

On motion the question was divided and vote taken on the first proposition embodied in the question. "Shall exemptions from income be limited to income from personal services?"

On this question the affirmative votes were 26, the negative votes 19.

No action has been taken by the Committee of the Whole on the following questions and propositions, namely:

(3) "Shall the Constitution forbid the General Assembly imposing an advalorem tax upon property the income of which is taxed?"

(6) "Shall the General Assembly be limited to providing revenue only by a general property tax?"

(7) "Shall the Constitution forbid the General Assembly making any form of classification of property for taxation?"

The question being on the adoption of the foregoing supplemental report, it was decided in the affirmative.

Mr. Jarman, from the Special Committee, heretofore appointed to adjust the differences and consider and correlate into one concrete article the proposals and suggestions on revenue, submitted the following report and moved that the report be received by the Convention, and substituted for sections 1, 2, 3 and 4 of Report No. 11, of the Committee on Phraseology and Style and all other pending motions or propositions before the Convention concerning the subject matter of those four sections:

COMMITTEE REPORT.

Section 1. The power of taxation shall never be surrendered, suspended or contracted away. All taxes shall be levied and collected under general law and for public purposes only.

Section 2. The General Assembly shall provide for the levy of taxes upon property by valuation so that every person or corporation shall pay a tax in proportion to the value of his, her or its property, such value to be ascertained by some person, or persons to be elected or appointed in such manner as the General Assembly shall direct and not otherwise.

Section 3. In lieu of any tax by valuation thereon the General Assembly may provide a tax on all incomes derived from intangible property or any kind or class thereof. Such income tax shall be uniform and substantial and reasonably proportioned to the tax levied on property by valuation. There shall be no exemptions from such income tax except as provided in Section 8 of this Article.

Section 4. Taxes may be levied also on incomes; if the income tax be graduated and progressive the highest rate shall not exceed three times the lowest rate. No person shall have an exemption or deduction for living expense of more than five hundred dollars from income derived from personal service or any exemption from income derived from any other source. Taxes levied by valuation upon property in this State and paid shall be deducted from the tax on income derived therefrom by the person or corporation paying such property tax.

Section 5. Taxes may also be levied on privileges, franchises and occupations uniform as to class.

Section 6. The above specifications of objects and subjects of taxation shall not deprive the General Assembly of the power to require other objects or subjects to be taxed in such manner as may be consistent with the principles of taxation fixed in this Constitution.

Section 7. Taxes on incomes shall be levied and collected only by the State but the revenue therefrom shall be distributed to the taxing bodies as the General Assembly shall prescribe.

Section 8. The following classes of property may be relieved from taxation by general law: (1) Public property; (2) household furniture used as

such up to five hundred dollars in value and (3) property and income used exclusively for (a) agricultural and horticultural societies, (b) incorporated societies of war veterans, (c) schools, (d) cemeteries not held or used for private profit, and (e) charitable or reiigious purposes, including parsonages owned and occupied as such.

Respectfully submitted by the special Committee on Revenue, on Sections 1, 2, 3 and 4.

(Signed) L. A. JARMAN, *Chairman;*
THOMAS RINAKER,
CHARLES H. HAMILL,
CICERO J. LINDLY,
DAVID E. SHANAHAN,
A. E. TAFF.

The question being on the adoption of the report of the Special Committee.

It was decided in the affirmative.

And the report was placed before the Convention for its consideration in lieu of sections 1, 2, 3 and 4 of Report No. 11, of the Committee on Phraseology and Style.

Mr. Fifer, from the Special Committee, presented the following individual report, for the information of the convention, to-wit:

I find myself unable to agree with the majority of the Special Committee appointed to consider and report on the Revenue Article of the Constitution for the reason that the majority report of said committee makes no provision for the establishment of a tax rate to be levied on income from intangible property but leaves the General Assembly free to fix whatever rate it may see fit.

It is conceded that intagible property has escaped taxation for the past fifty years in violation of law, and, in my judgment, unless some limitation is placed upon the General Assembly respecting the tax rate on intangible property that species of property will in the future escape taxation under the forms of law. It has been said that this convention cannot fix a proportionate rate between tangible and intangible property that would be equitable and just; to this contention I cannot agree. The Kerrick and Coolley proposals both establish such relation. It is said, however, that both of these proposals in this regard allow the General Assembly no latitude and are too rigid. In answer to this objection I suggest a maximum and minimum rate could be placed on income from intangible property that will give the General Assembly sufficient latitude.

In respect to the other matters covered by the majority report of the committee I have nothing to say in this minority report believing as I do that if the question to which I refer is once settled all other matters can be easily and quickly agreed to.

I have prepared and herewith submit a proposal attached to this report which I believe will meet the requirements of the situation and respectfully ask its adoption.

Respectfully submitted,

(Signed) JOSEPH W. FIFER.

PROPOSED SUBSTITUTE FOR SECTIONS 1 TO 4 INCLUSIVE, OF ARTICLE 9, AS REPORTED BY THE COMMITTEEE ON PHRASEOLOGY AND STYLE.

The power of taxation shall never be surrendered, suspended or contracted away. All taxes shall be levied and collected under general law and for public purposes only. The General Assembly shall provide for the levy of taxes upon property by valuation so that every person or corporation shall pay a tax in proportion to the value of his or her or its property, such value to be ascertained by some person or persons to be elected or appointed in such manner as the General Assembly shall direct and not otherwise. Taxes may also be levied on privileges, franchises and occupa-

tions, uniform as to class. The above specifications of the objects and subjects of taxation shall not deprive the General Assembly of the power to require other objects and subjects to be taxed in such manner as may be consistent with the principles of taxation fixed in this constitution.

In lieu of any tax upon intangible property in proportion to its value, the General Assembly may provide for a tax on all income derived from intangible property, in which case, if the tax be not graduated and progressive, the rate of taxation shall be the same on all incomes derived from intangible property and shall be not less than twelve nor more than sixteen times as great as the rate of taxation on tangible property. Provision may be made for a graduated and progressive income tax, in which case the lowest rate shall not be less than ten nor more than fourteen times the rate on tangible property.

The General Assembly shall also provide for a tax on all income derived from sources other than tangible and intangible property, in which case the rate of taxation shall be the same as the rate of taxation on intangible property.

Income shall be assessed for taxation in the same proportion to its value as tangible property is assessed for taxation.

In addition to such other exemptions as may be authorized in this Article of the Constitution, the General Assembly may provide by general law for an exemption from taxation of income, and from taxation of property in proportion to its value, in any amount not in excess of $500, provided such exemption shall be uniform as to both such classes.

Taxes on income shall be levied and collected only by the State; and the proceeds thereof in each county shall be apportioned between the State, the county, and all taxing authorities within the county in the same ratio as the proceeds of taxes on real estate in such county are apportioned.

(N. D.—This provision can be conveniently divided into two or more sections if such division be deemed advisable.)

Pending discussion, at the hour of 5:25 o'clock p. m., Mr. Lindly moved that the convention do now adjourn until 10:00 o'clock a. m., tomorrow.

Mr. Miller moved to amend the motion to adjourn to read "9:00 o'clock a. m."

The question being on the adoption of the amendment, it was decided in the affirmative.

The question recurring, on the motion of Mr. Lindly, as amended, it was decided in the affirmative.

And the convention stood adjourned until 9:00 o'clock a. m., tomorrow.

WEDNESDAY, FEBRUARY 22, 1922, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Francis H. DeVol, of the First Christian Church, of Washburn.

The Journal of Thursday, February 16th, having been printed, and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The President, as chairman, laid before the Convention the following report from the Committee on Rules and Procedure, to-wit:

Your Committee on Rules and Procedure recommend that after the disposition on second reading of sections 1, 2, 3 and 4 of Report No. 11, of the Committee on Phraseology and Style, now under consideration, the remaining sections, namely, sections 5, 6, 7, 8, 9, 10 and 11 of said Report No. 11, be considered and disposed of on the order of second reading; that following the disposition of said Report No. 11, the following reports of the Committee on Phraseology and Style be considered and disposed of on second reading in the following order:

Report No. 10. Preamble.
Report No. 5. Boundaries.
Report No. 3. Distribution of Power.
Report No. 9. Bill of Rights.
Report No. 7. Suffrage and Elections.
Report No. 12. Legislative Department (except Secs. 6 and 7.)
Report No. 6. Corporations.
Report No. 2. Warehouses.
Report No. 14. Land Credits.
Report No. 13. Canals and Waterways.
Report No. 15. Home Rule and Zoning.
Report No. 4. Education.
Report No. 19. Executive Department.
Report No. 18. Judicial Department.
Report No. 17. Counties.
Report No. 16. Cook County.
Report No. 8. Chicago and Cook County.

Your committee further recommends that the several reports of the Committee on Phraseology and Style be read and acted upon by sections and that a final vote on second reading be taken upon each section separately.

The question being on the adoption of the report of the committee.

It was decided in the affirmative.

Mr. Jarman raised the point of no quorum, and thereupon a call of the Convention was had, resulting as follows: Present, 63.

Those answering present: Messrs.

Adams	Dryer	Hamill	Miller	Shanahan
Adamkiewicz	Dunlap	Hogan	Mills	Shuey
Barr	Dupuy, G. A.	Hollenbeck	Moore	Smith
Beckman	Elting	Hull	Nichols	Stahl
Brandon	Fifer	Ireland	O'Brien	Sutherland
Brenholt	Fyke	Jack	Paddock	Taff
Brewster	Gale	Jarman	Pincus	Todd
Carlstrom	Garrett	Johnson, W. A.	Pinnell	Torrance
Catron	Gee	Kerrick	Quinn	Traeger
Clarke	Gilbert	Lindly	Rinaker	Trautmann
Coolley	Goodyear	Mack	Rosenberg	Wilson
Dawes	Gray	McGuire	Scanlan	Mr. President
Dietz	Green	Mighell		Present—63.

The President announced that a quorum of the Convention was present.

Upon request of his colleague, Mr. C. D. Carey was excused from attendance at the Convention on account of sickness.

The pending question at the hour of adjournment on yesterday, being the consideration of the report of the Special Committee on Revenue, the same was again taken up and read at large.

And the question being on the adoption of section 1, a call of the roll was had, resulting as follows: Yeas, 55; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dunlap	Hollenbeck	Miller	Shuey
Adamkiewicz	Dupuy, G. A.	Hull	Mills	Smith
Barr	Elting	Ireland	Moore	Stahl
Beckman	Fifer	Jack	Nichols	Sutherland
Brandon	Gale	Jarman	O'Brien	Taff
Brenholt	Gee	Johnson, W. A.	Paddock	Todd
Brewster	Goodyear	Kerrick	Pinnell	Torrance
Carlstrom	Gray	Lindly	Quinn	Traeger
Clarke	Green	Mack	Rinaker	Wilson
Coolley	Hamill	McGuire	Rosenberg	Mr. President
Dawes	Hogan	Mighell	Shanahan	Yeas—55.
Dietz				Nays—0.

Section 1, having received the votes of a majority of the Delegates elected, was declared passed and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

The question then being on the adoption of section 2, a call of the roll was had, resulting as follows: Yeas, 54; nays, 2.

Those voting in the affirmative are: Messrs.

Adams	Dietz	Hogan	Miller	Shuey
Adamkiewicz	Dunlap	Hollenbeck	Mills	Smith
Barr	Dupuy, G. A.	Hull	Moore	Stahl
Beckman	Elting	Jack	Nichols	Sutherland
Brandon	Fifer	Jarman	O'Brien	Taff
Brenholt	Gee	Johnson, W. A.	Paddock	Todd
Brewster	Gilbert	Kerrick	Pinnell	Torrance
Carlstrom	Goodyear	Lindly	Quinn	Traeger
Clarke	Gray	Mack	Rinaker	Trautmann
Coolley	Green	McGuire	Rosenberg	Mr. President
Dawes	Hamill	Mighell	Shanahan	Yeas—54.

Those voting in the negative are: Messrs.

Gale	Ireland	Nays—2.

Section 2, having received the votes of a majority of the Delegates elected, was declared passed and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Mr. Sutherland gave notice that on the next Convention Day, he would move to reconsider the vote by which section 2, was adopted.

The question then being on the adoption of section 3.

Mr. Kerrick offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend section 3 by striking out after the word "and" first occurring in line 4 of said section, the words "substantial and reasonably" and insert in lieu thereof the word "substantially."

The question being on the adoption of the amendment, a division was had, resulting as follows: Yeas, 18; nays, 35.

And the amendment was lost.

At the hour of 12:10 o'clock p. m., Mr. Jarman moved that the Convention do now take a recess until 2:00 o'clock p. m.

And the motion prevailed.

2:00 O'CLOCK P. M.

The hour of 2:00 o'clock p. m., having arrived, the Convention resumed its session.

The President presiding.

The pending question at the hour of taking a recess being the adoption of section 3, the same was again taken up.

Whereupon Mr. Gee offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend section 3, in lines 4 and 5 thereof, by striking out the words "and reasonably proportioned to the tax levied on property by valuation."

And the amendment was adopted.

Mr. Elting offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend section 3 by striking out the last sentence thereof, and add the following: "The General Assembly may also tax income not derived from property at a lower rate than income derived from property and may grant reasonable exemptions and deductions. Any class of property, the income from which is taxed under the provisions of this section, may be exempted from the imposition and levying of proportional and reasonable assessments, rates and taxes as required in section 2 of this article."

And the amendment was lost.

The question then being on the adoption of section 3 as amended, a call of the roll was had, resulting as follows: Yeas, 52; nays, 9.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Hogan	Mills	Shuey
Adamkiewicz	Dietz	Hollenbeck	Moore	Smith
Barr	Dryer	Hull	Nichols	Sutherland
Beckman	Dupuy, G. A.	Jack	O'Brien	Taff
Brandon	Fyke	Jarman	Paddock	Todd
Brenholt	Gale	Johnson, W. A.	Pincus	Torrance
Brewster	Garrett	Lindly	Pinnell	Traeger
Carlstrom	Gee	Mack	Quinn	Trautmann
Catron	Gray	McGuire	Rinaker	Wilson
Clarke	Green	Miller	Shanahan	Mr. President
Coolley	Hamill			

Yeas—52.

Those voting in the negative are: Messrs.

Dunlap	Fifer	Goodyear	Mighell	Stahl
Elting	Gilbert	Kerrick	Scanlan	

Nays—9.

Section 3, having received the votes of a majority of the Delegates elected, was declared passed and, under the rules, was re-referred to the Committee on Phraseology and Style, for action as provided by Rule 20.

The question then being on the adoption of section 4.

Mr. Rinaker offered the following amendment and moved its adoption:

AMENDMENT No. 4.

Amend section 4 by inserting after the word "state" in line 7, the words "or in lieu thereof."

And the amendment was adopted.

Mr. Miller offered the following amendment and moved its adoption:

AMENDMENT No. 5.

Amend section 4, by striking out the word "taxes" in line 1, and inserting in lieu thereof the words "a tax."

Pending consideration, Mr. Rinaker offered the following as a substitute for Amendment No. 5 and moved its adoption:

Amend section 4 by striking out the words "taxes may be levied also on incomes" and inserting in lieu thereof the words "A general income tax may be levied also, on all incomes."

And the substitute for Amendment No. 5, was adopted.

Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 6.

Amend section 4, by changing the period after the word "source" in line 6, to a comma. Strike out the last sentence of said section and substitute in lieu thereof the following: "but the General Assembly may permit such deductions as shall compensate for taxes paid upon property from which the taxed income is derived, or for income tax paid in lieu of tax by valuation.

And the amendment was adopted.

Mr. Miller offered the following amendment and moved its adoption:

AMENDMENT No. 7.

Amend section 4, by inserting after the word "incomes" in line 1, the following: "or a tax may be levied on all incomes derived from personal services."

And the amendment was lost.

Mr. Sutherland offered the following amendment and moved its adoption:

AMENDMENT No. 8.

Amend section 4, by inserting after the figure 4 the letter "A" and by adding at the end of the section, the following:

B. Nothing in this article contained shall preclude the General Assembly from providing a general tax upon all incomes regardless of source, instead of the forms of income tax hereinbefore authorized, and from releasing any or all kinds or classes of personal property from the tax by valuation in the event that such a general income tax is established;

but no such tax upon income shall be by graduated rates unless the graduation shall be so limited that the highest rate shall not be greater than three times the lowest rate. The General Assembly shall not fail to provide such offsets or deductions as may be necessary to equitable adjustment between taxes upon income and taxes upon property. There shall be no exemption exceeding $1,000, of income to a taxpayer.

And the amendment was lost.

Mr. Dunlap offered the following amendment and moved its adoption:

AMENDMENT No. 9.

Amend section 4, by striking out in line 4, the words "five hundred" and inserting in lieu thereof the words "one thousand."

And the amendment was lost.

The question then being on the adoption of section 4, as amended, a call of the roll was had, resulting as follows: Yeas, 53; nays, 8.

Those voting in the affirmative are: Messrs.

Adams	Dietz	Hogan	Mills	Smith
Barr	Dryer	Hollenbeck	Moore	Stahl
Beckman	Dupuy, G. A.	Hull	Nichols	Sutherland
Brandon	Fyke	Ireland	O'Brien	Taff
Brenholt	Gale	Jack	Paddock	Todd
Brewster	Garrett	Jarman	Pinnell	Torrance
Carlstrom	Gee	Johnson, W. A.	Quinn	Traeger
Catron	Gilbert	Lindly	Rinaker	Trautmann
Clarke	Gray	Mack	Shanahan	Wilson
Coolley	Green	McGuire	Shuey	Mr. President
Dawes	Hamill	Miller		Yeas—53.

Those voting in the negative are: Messrs.

Adamkiewicz	Elting	Goodyear	Pincus	Scanlan
Dunlap	Fifer	Mighell		Nays—8.

Section 4, having received the votes of a majority of the Delegates elected, was declared passed and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

At the hour of 5:50 o'clock p. m., Mr. Jarman moved that the Convention do now take a recess until 8:00 o'clock p. m.

And the motion prevailed.

8:00 o'CLOCK P. M.

The hour of 8:00 o'clock p. m., having arrived, the Convention resumed its session.

The President presiding.

The pending question at the hour of taking a recess being the consideration of the report of the Special Committee on Revenue, the same was again taken up.

And the question being on the adoption of section 5, a call of the roll was had, resulting as follows: Yeas, 54; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dryer	Hogan	Mills	Smith
Adamkiewicz	Dunlap	Hollenbeck	Moore	Stahl
Barr	Dupuy, G. A.	Hull	Nichols	Sutherland
Beckman	Elting	Jack	O'Brien	Taff
Brandon	Gale	Jarman	Paddock	Todd
Brenholt	Garrett	Johnson, W. A.	Pincus	Torrance
Brewster	Gilbert	Lindly	Pinnell	Traeger
Catron	Goodyear	Mack	Quinn	Trautmann
Clarke	Gray	McGuire	Rinaker	Wilson
Coolley	Green	Mighell	Scanlan	Mr. President
Dawes	Hamill	Miller	Shuey	Yeas—54.
				Nays—0.

Section 5, having received the votes of a majority of the Delegates elected, was declared passed and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

The question then being on the adoption of section 6, a call of the roll was had, resulting as follows: Yeas, 55; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dunlap	Hollenbeck	Mills	Smith
Adamkiewicz	Dupuy, G. A.	Hull	Moore	Stahl
Barr	Elting	Jack	Nichols	Sutherland
Beckman	Gale	Jarman	O'Brien	Taff
Brandon	Garrett	Johnson, W. A.	Paddock	Todd
Brenholt	Gilbert	Kerrick	Pincus	Torrance
Brewster	Goodyear	Lindly	Pinnell	Traeger
Catron	Gray	Mack	Quinn	Trautmann
Clarke	Green	McGuire	Rinaker	Wilson
Coolley	Hamill	Mighell	Shanahan	Mr. President
Dawes	Hogan	Miller	Shuey	Yeas—55.
Dryer				Nays—0.

Section 6, having received the votes of a majority of the Delegates elected, was declared passed and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

The question then being on the adoption of section 7.

Mr. O'Brien offered the following amendment and moved its adoption:

AMENDMENT No. 10.

Amend section 7, by striking out all after the word and figure "section 7" and inserting in lieu thereof the following:

"Taxes on income shall be levied and collected only by the State; and the proceeds thereof in each county shall be divided between the State, the county and all taxing authorities within the county in the same ratio as the proceeds of taxes on real estate in such county are distributed.

Mr. Sutherland offered the following amendment to the amendment and moved its adoption:

AMENDMENT No. 1 TO AMENDMENT No. 10.

Amend the amendment by adding after the word "and" in line 2 the words "after deducting cost of collection."

And the amendment to the amendment was lost.

Mr. Kerrick offered the following amendment to the amendment and moved its adoption:

AMENDMENT No. 2 TO AMENDMENT No. 10.

Amend the amendment by striking out the words "taxes on real estate" in line 6, and inserting in lieu thereof the words "a general tax."

And the amendment to the amendment was lost.

Pending consideration, Mr. Sutherland moved that debate be now closed and that the Convention proceed to vote.

And the motion prevailed.

The question then being on the adoption of Amendment No. 10, a division of the Convention was had, resulting as follows: Yeas, 23; nays, 35.

And the amendment was lost.

The question recurring on the adoption of section 7, a call of the roll was had, resulting as follows: Yeas, 52; nays, 4.

Those voting in the affirmative are: Messrs.

Adams	Dietz	Hogan	Mighell	Shuey
Barr	Dryer	Hollenbeck	Miller	Smith
Beckman	Dunlap	Hull	Mills	Stahl
Brandon	Dupuy, G. A.	Jack	Moore	Sutherland
Brenholt	Elting	Jarman	Nichols	Taff
Brewster	Gale	Johnson, W. A.	Paddock	Todd
Carlstrom	Garrett	Kerrick	Pinnell	Torrance
Catron	Gilbert	Lindly	Quinn	Trautmann
Clarke	Goodyear	Mack	Rinaker	Wilson
Coolley	Gray	McGuire	Shanahan	Mr. President
Dawes	Hamill			

Yeas—52.

Those voting in the negative are: Messrs.

Adamkiewicz	O'Brien	Pincus	Traeger	Nays—4.

Section 7, having received the votes of a majority of the Delegates elected, was declared passed and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Mr. Miller gave notice that on the next Convention Day, he would move to reconsider the vote by which section 7, was adopted.

At the hour of 10:45 o'clock p. m., Mr. Hamill moved that the Convention do now adjourn until 9:00 o'clock a. m., tomorrow.

The motion prevailed.

And the Convention stood adjourned.

THURSDAY, FEBRUARY 23, 1922, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Francis H. DeVol, of the First Christian Church, of Washburn.

The Journal of Tuesday, February 21st, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

Mr. Stahl moved to reconsider the vote by which section 4, of the report of the Special Committee on Revenue, was adopted on yesterday and that consideration of the motion to reconsider be postponed until the next Convention day.

And the motion prevailed.

Mr. Sutherland, in accordance with his notice of yesterday, moved to reconsider the vote by which section 2, of the report of the Special Committee on Revenue, was adopted and that consideration of the motion to reconsider be postponed until the next Convention day.

And the motion prevailed.

Mr. Miller, in accordance with his notice of yesterday, moved to reconsider the vote by which section 7, of the report of the Special Committee on Revenuee, was adopted and that consideration of the motion to reconsider be postponed until the next Convention day.

And the motion prevailed.

The pending question at the hour of adjournment on yesterday, being the consideration of the report of the Special Committee on Revenue, the same was again taken up.

And the question being on the adoption of section 8.

Mr. Clarke offered the following amendment and moved its adoption:

AMENDMENT No. 11.

Amend section 8, by striking out after the word "cemeteries" in line 6, the words "not held or used for private profit."

And the amendment was lost.

Mr. Stahl offered the following amendment and moved its adoption:

AMENDMENT No. 12.

Amend section 8, by inserting after the word "value" in line 3 the following: "And, in the event that the general tax upon income authorized in section 4, is imposed, household furniture and implements of agriculture, or labor-used as such without limit as to amount."

Mr. Sutherland offered the following amendment to the amendment and moved its adoption:

AMENDMENT No. 1 TO AMENDMENT No. 12.

Amend the amendment, by inserting after the word "labor" the words "or profession."

And the amendment to the amendment was lost.

The question then being on the adoption of Amendment No. 12, offered by Mr. Stahl, a division was had, resulting as follows: Yeas, 28; nays, 20.

And the amendment was adopted.

Mr. Traeger offered the following amendment and moved its adoption:

AMENDMENT No. 13.

Amend section 8, by striking out in line 8, the words "five hundred dollars" and inserting in lieu thereof the words "one thousand dollars."

And the amendment was lost.

Mr. Lindly offered the following amendment and moved its adoption:

AMENDMENT No. 14.

Amend section 8, by adding at the end thereof the following: "E" mortgages to the amount of $6,000 where the money is used for the purpose of building individual homes."

Pending consideration, Mr. Coolley offered the following as a substitute for Amendment No. 14, and moved its adoption:

"Amend section 8, by adding at the end thereof the following: "the amount of mortgage on an individual home to the amount of $6,000 be exempted from the value thereof for taxation."

And the substitute for Amendment No. 14, was lost.

The question recurring on the adoption of Amendment No. 14.

It was decided in the negative.

Mr. Mills offered the following amendment and moved its adoption:

AMENDMENT No. 15.

Amend section 8, by adding at the end of line 8, after the word "such" the words "but all said real estate shall be subject to special assessment, or to special taxation or both."

Pending consideration, at the hour of 11:05 o'clock a. m., Mr. Jarman moved that the Convention do now adjourn until Tuesday, February 28, 1922, at 10:00 o'clock a. m.

The motion prevailed.

And the Convention stood adjourned.

TUESDAY, FEBRUARY 28, 1922, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. E. T. Carroll, of the First Methodist Church, of Greenville.

The Journal of Wednesday, February 22nd, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

The pending question at the hour of adjournment on Thursday, February 23rd, being the consideration of Amendment No. 15, offered by Mr. Mills, to section 8 of the report of the Special Committee on Revenue, the same was again taken up.

Pending consideration, by unanimous consent, Mr. Mills, withdrew Amendment No. 15.

Whereupon Mr. Miller offered the following amendment and moved its adoption:

AMENDMENT No. 16.

Amend section 8 by striking out the words "and income" after the word "property" in line 4.

Mr. Sutherland offered the following as a substitute for Amendment No. 16, and moved its adoption:

Amend section 8 by inserting after the word "and" and before the word "income" in line 4, a comma and the following words "in the event of an income tax as provided in section 4."

Whereupon Mr. Green moved to lay the substitute on the table.

The question being on the motion to table, it was decided in the affirmative.

The question recurring on the adoption of Amendment No. 16, a division of the Convention was had, resulting as follows: Yeas, 30; nays, 20.

And the amendment was adopted.

Mr. Jarman offered the following amendment and moved its adoption:

AMENDMENT No. 17.

Amend section 8 by striking out in line 6, the following: "(c) Schools," and inserting after the letter "(e)" and before the word "charitable" in line 8, the word "school."

And the amendment was adopted.

At the hour of 12:50 o'clock p. m., Mr. Jarman moved that the Convention do now take a recess until 2:00 o'clock p. m.

And the motion prevailed.

2:00 o'Clock P. M.

The hour of 2:00 o'clock p. m., having arrived, the Convention resumed its session.

The President presiding.

The pending question at the hour of taking a recess being the consideration of section 8, of the report of the Special Committee on Revenue, the same was again taken up.

Whereupon Mr. Jarman offered the following amendment and moved its adoption:

Amendment No. 18.

Amend section 8 by inserting in line 4 after the word "property" the following: "and in the event that the general tax upon income authorized in section 4 is imposed, income."

The question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 17; nays, 22.

And the amendment was lost.

Mr. Catron offered the following amendment and moved its adoption:

Amendment No. 19.

Amend section 8 by striking out the word "for" in line 4 and inserting in lieu thereof the word "by" and by striking out the word "purposes" in line 7 and inserting in lieu thereof the word "societies."

And the amendment was lost.

Mr. Hamill offered the following amendment and moved its adoption:

Amendment No. 20.

Amend section 8 by inserting after the word "imposed" in the amendment adopted February 23rd, the following: "such personal property as the General Assembly shall prescribe, including."

The question being on the adoption of the amendment, a division of the Convention was had resulting as follows: Yeas, 13; nays, 28.

And the amendment was lost.

Mr. Carlstrom offered the following amendment and moved its adoption:

Amendment No. 21.

Amend section 8 by adding in line 5, after the word "societies" the words "not organized for pecuniary profit."

Pending consideration, Mr. Hamill offered the following as a substitute for Amendment No. 21, and moved its adoption:

Amend section 8 by striking out the words "agricultural and horticultural societies."

And the substitute for Amendment No. 21 was lost.

The question recurring on the adoption of Amendment No. 21 it was decided in the affirmative.

Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 22.

Amend section 8 by striking out the last clause thereof as follows: "including parsonages owned and occupied as such."

And the amendment was lost.

Mr. Green moved that section 8, as amended, be now recommitted to the Special Committee on Revenue for further consideration.

And the motion prevailed.

Mr. Sutherland called up his motion to reconsider the vote by which section 2 of the Report of the Special Committee on Revenue, was adopted and moved that consideration be further postponed until the next Convention day.

Whereupon Mr. Jarman moved to lay that motion on the table.

And the question being on the motion to table, it was decided in the affirmative.

Mr. Jarman thereupon moved that the motion to reconsider the vote by which section 2 was adopted, lie on the table.

And the motion prevailed.

Mr. Stahl called up his motion to reconsider the vote by which section 4 of the Report of the Special Committee on Revenue was adopted.

And the question being on the motion to reconsider, it was decided in the affirmative.

Whereupon Mr. Stahl offered the following amendment and moved its adoption:

AMENDMENT No. 23.

Amend section 4 by striking out the words "five hundred" in line 4, and inserting in lieu thereof the words "fifteen hundred."

Pending discussion, by unanimous consent, Mr. Stahl withdrew Amendment No. 23.

Mr. Trautmann offered the following amendment and moved its adoption:

AMENDMENT No. 24.

Amend section 4 by striking out all of the second sentence and inserting in lieu thereof the following: "An exemption or deduction may be allowed for living expense from income derived from personal service."

Pending discussion, by unanimous consent, Mr. Trautmann withdrew Amendment No. 24.

Mr. W. A. Johnson offered the following amendment and moved its adoption:

AMENDMENT No. 25.

Amend section 4, by striking out all of the second sentence and inserting in lieu thereof the following: "An exemption not to exceed $1,000.00 may be allowed to the head of a family and not to exceed $500.00 to any other person from income derived from personal service. No exemption shall be allowed from income derived from any other source.

Mr. Jack offered the following amendment to the amendment and moved its adoption:

AMENDMENT No. 1 TO AMENDMENT No. 25.

Amend the amendment by striking out the figures $1,000.00 and insert in lieu thereof the figures $1,500.00.

And the amendment to the amendment was lost.

Pending discussion, by unanimous consent, Mr. Johnson withdrew Amendment No. 25.

Mr. Dawes offered the following amendment and moved its adoption:

AMENDMENT No. 26.

Amend section 4 by striking out the words "five hundred dollars" in line 4 and inserting in lieu thereof the following: "(a) $500 to a person not the head of a family whose total net income is less than $1,000, and (b) $1,000 to a person the head of a family whose total net income is less than $2,000."

The question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 12; nays, 43.

And the amendment was lost.

Mr. W. A. Johnson thereupon re-offered Amendment No. 25, and moved its adoption.

And the question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 33; nays, 24.

And the amendment was adopted.

Mr. Trautmann thereupon re-offered Amendment No. 24, and moved its adoption.

And the question being on the adoption of the amendment, it was decided in the negative.

Mr. Jarman moved that section 4, as amended, be adopted.

And on that motion, a call of the roll was had, resulting as follows: Yeas, 52; nays, 6.

Those voting in the affirmative are: Messrs.

Adams	Davis	Green	Lindly	Rinaker
Barr	Dawes	Hamill	Mack	Shanahan
Brenholt	De Young	Hogan	Meinert	Shuey
Brewster	Dupuy, G. A.	Hollenbeck	Mighell	Six
Carlstrom	Elting	Hull	Miller	Smith
Catron	Fyke	Ireland	Mills	Stahl
Chew	Gale	Jack	Moore	Sutherland
Clarke	Gee	Jarman	Nichols	Taff
Corlett	Gilbert	Johnson, L. C.	Paddock	Trautmann
Cruden	Goodyear	Johnson, W. A.	Pinnell	Mr. President
Cutting	Gray			Yeas—52.

Those voting in the negative are: Messrs.

Brandon	Iarussi	Pincus	Todd	Wilson
Dunlap				Nays—6.

Section 4, having received the votes of a majority of the Delegates elected, was declared passed and under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

At the hour of 6:25 o'clock p. m., Mr. Trautmann moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned.

WEDNESDAY, MARCH 1, 1922, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. E. T. Carroll, of the First Methodist Church, of Greenville.

The Journal of Thursday, February 23d, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

Mr. Jarman, from the Special Committee on Revenue, to which was recommitted on yesterday section 8 of their special report, submitted the following report and moved that it be received by the Convention, and substituted for section 8 of the committee's former report:

COMMITTEE REPORT.

Section 8. The following classes of property and the income therefrom may be relieved by general law from taxation: (1) Public property; (2) household furniture used as such up to five hundred dollars in value; (3) parsonages owned and used as such; (4) property used exclusively for (a) agricultural and horticultural societies not organized for pecuniary profit, (b) incorporated societies of war veterans, (c) cemeteries not held for private profit, and (d) school, charitable or religious purposes; (5) if a general income tax is imposed as authorized in section four of this article, household furniture and implements of agriculture or labor used as such without limit as to amount.

The question being on the adoption of the report of the special committee.

It was decided in the affirmative.

And the report was placed before the Convention for its consideration in lieu of section 8 contained in the former report of the Special Committee on Revenue.

Pending consideration, Mr. Mighell offered the following amendment and moved its adoption:

AMENDMENT No. 27.

Amend section 8 by inserting after the word "exclusively" in line 5, the following words "directly and not as an endowment."

And the amendment was lost.

Mr. Sutherland offered the following amendment and moved its adoption:

AMENDMENT No. 28.

Amend section 8 by striking out the words "without limit as to amount" after the word "such" in the last line thereof, and by inserting in lieu thereof the following, "in such amount as the General Assembly may determine."

And the amendment was lost.

The question then being on the adoption of section 8, as amended, a call of the roll was had, resulting as follows: Yeas, 60; nays, 4.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Green	Lill	Potts
Barr	De Young	Hogan	Lindly	Rosenberg
Brandon	Dunlap	Hollenbeck	Mack	Shanahan
Brenholt	Dupuy, G. A.	Hull	Meinert	Shuey
Brewster	Elting	Iarussi	Miller	Six
Carlstrom	Fyke	Ireland	Mills	Smith
Catron	Gale	Jack	Moore	Stahl
Clarke	Ganschow	Jarman	Morris	Sutherland
Corlett	Gee	Johnson, L. C.	Nichols	Taff
Cruden	Gilbert	Johnson, W. A.	Paddock	Todd
Cutting	Goodyear	Kerrick	Pincus	Trautmann
Davis	Gray	Kunde	Pinnell	Mr. President

Yeas—60.

Those voting in the negative are: Messrs.

Hamill	Mighell	Rinaker	Wilson	Nays—4.

Section 8, having received the votes of a majority of the Delegates elected, was declared passed and under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Mr. Jarman moved to reconsider the vote by which section 8 was adopted.

Whereupon Mr. Sutherland moved to lay that motion on the table.

And the question being on the motion to table, it was decided in the affirmative.

Mr. Jarman, by unanimous consent, moved to recall section 7 from the Committee on Phraseology and Style.

And the motion prevailed.

Mr. Jarman, by unanimous consent, moved to reconsider the vote by which section 7 was, on February 22d, adopted.

And the motion prevailed.

Mr. Jarman thereupon reported the following as a substitute for section 7 and moved that consideration of the same be postponed until the afternoon session:

COMMITTEE REPORT.

Section 7. Taxes on incomes shall be levied and collected only by the State. The revenue raised on any income tax imposed under section four of this article shall be apportioned to the State and to the taxing bodies as the General Assembly shall prescribe. Of the revenue raised under any income tax imposed under section three of this article there shall be used for State purposes the same percentage as is used from the total revenue from taxes by valuation and the residue shall be returned to the respective counties from which it was collected to be distributed among the taxing bodies thereof according to the general law.

And the motion to postpone prevailed.

The Convention now proceeding upon the consideration of section 5, of the report of the Committee on Phraseology and Style, the same was taken up and read at large.

Whereupon Mr. Gale offered the following amendment and moved its adoption:

AMENDMENT No. 29.

Amend section 5 by striking out all the words prior to the word "except" in the third line thereof and inserting the words, "The General Assembly shall have power to provide for the collection of all taxes and special assessments, but no owner of real estate shall be divested of title thereto."

Mr. Hamill offered the following as a substitute for the amendment of Mr. Gale and for the remainder of the first sentence:

"The legislature shall have power to provide for the collection of all taxes and special assessments; but no owner of real estate shall be divested of title thereto because of delinquent taxes, special taxes or special assessments, except upon the judgment of a court of record, after notice by the County Treasurer to the owner or agent thereof and a redemption period of two years from the date of said judgment shall be allowed to the owner or other parties interested in such real estate.

The question being on the adoption of the substitute, it was decided in the affirmative.

Mr. Gale offered the following amendment and moved its adoption:

AMENDMENT No. 30.

Amend section 5 by striking out the word "such" in line 7, and inserting in lieu thereof the word "any."

And the amendment was adopted.

Pending discussion Mr. Todd moved that further consideration of section 5 be postponed.

And the motion was lost.

Mr. Gale offered the following amendment and moved its adoption:

AMENDMENT No. 31.

Amend section 5 by inserting in lieu of the last clause thereof the following, "But after such period of redemption has expired the General Assembly may provide for enforcing the lien of such taxes or assessments by a proceeding in the nature of a foreclosure in equity wherein the rights of all interested parties may be adjudicated."

And the amendment was adopted.

Mr. Green offered the following as a substitute for section 5 and moved its adoption:

Section 5. No owner of real estate shall be divested of title thereto for default in payment of taxes or assessments, except (1) upon sale by the County Treasurer, or (2) by forfeiture to the State, in either case being pursuant to judgment of a court of record after notice, as provided by law; not less than two years shall be allowed to redeem from such sale or forfeiture; but the rights of all interested parties may be enforced by proceedings in equity.

Pending discussion, at the hour of 12:25 o'clock p. m., Mr. Sutherland moved that the Convention do now take a recess until 3:00 o'clock p. m.

And the motion prevailed.

3:00 o'CLOCK P. M.

The hour of 3:00 o'clock p. m., having arrived, the Convention resumed its session.

The President presiding.

The consideration of section 7, as reported by the Special Committee on Revenue, having been postponed until this hour, was again taken up.

Whereupon Mr. Jarman moved that the report of the committee be substituted for section 7 of its former report.

And the motion prevailed.

The question then being on the adoption of section 7, as so substituted, a call of the roll was had, resulting as follows: Yeas, 60; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	De Young	Hogan	Meinert	Shanahan
Barr	Dupuy, G. A.	Hollenbeck	Mighell	Shuey
Brandon	Elting	Hull	Mills	Six
Brenholt	Fyke	Iarussi	Moore	Smith
Brewster	Gale	Ireland	Morris	Stahl
Carlstrom	Ganschow	Jack	Nichols	Sutherland
Catron	Gee	Jarman	Paddock	Taff
Clarke	Gilbert	Johnson, L. C.	Pincus	Todd
Corlett	Goodyear	Kerrick	Pinnell	Trautmann
Cruden	Gray	Kunde	Potts	Wilson
Cutting	Green	Lindly	Rinaker	Mr. President
Davis	Hamill	Mack	Rosenberg	
Dawes				

Yeas—60.
Nays—0.

Section 7, having received the votes of a majority of the Delegates elected, was declared passed and under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Mr. Jarman moved to reconsider the vote by which section 7 was adopted.

Whereupon Mr. Taff moved to lay that motion on the table.

And the question being on the motion to table, it was decided in the affirmative.

The pending question at the hour of taking a recess being the substitute for section 5, offered by Mr. Green, the same was again taken up.

Whereupon, by unanimous consent, Mr. Green withdrew his substitute.

Mr. Gale thereupon offered the following as a substitute for section 5 and moved its adoption:

Section 5. No owner of real estate shall be divested of title thereto for default in payment of general or special taxes or assessments, except (1) upon sale by the County Treasurer, or (2) by forfeiture to the State, in either case only after judgment of a court of record after notice, as provided by law; not less than two years shall be allowed to redeem from such sale or forfeiture; after such period of redemption the rights under such sale or forfeiture may be enforced by a proceeding in equity.

Pending consideration Mr. Green moved that the substitute and subject matter in connection with section 5, be laid on the table.

And the question being on the motion to table, a division of the Convention was had, resulting as follows: Yeas, 26; nays, 27.

And the motion to table was lost.

The question recurring on the adoption of the substitute, it was decided in the affirmative.

The question then being on the adoption of section 5, as amended, a call of the roll was had, resulting as follows: Yeas, 55; nays, 8.

Those voting in the affirmative are: Messrs.

Adams	Davis	Gilbert	Johnson, W. A.	Pinnell
Barr	Dawes	Goodyear	Kerrick	Rinaker
Brandon	De Young	Gray	Lindly	Shanahan
Brenholt	Dryer	Green	Mack	Shuey
Brewster	Dunlap	Hogan	Meinert	Six
Carlstrom	Dupuy, G. A.	Hollenbeck	Mighell	Smith
Catron	Elting	Hull	Mills	Stahl
Clarke	Fyke	Ireland	Moore	Taff
Corlett	Gale	Jack	Morris	Todd
Cruden	Ganschow	Jarman	Nichols	Trautmann
Cutting	Gee	Johnson, L. C.	Paddock	Mr. President

Yeas—55.

Those voting in the negative are: Messrs.

Hamill	Kunde	Potts	Sutherland	Wilson
Iarussi	Pincus	Rosenberg		

Nays—8.

Section 5, having received the votes of a majority of the Delegates elected, was declared passed and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 6, of the report of the Committee on Phraseology and Style, was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 63; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	De Young	Hamill	Mack	Shanahan
Barr	Dryer	Hogan	Meinert	Shuey
Brandon	Dunlap	Hollenbeck	Mighell	Six
Brenholt	Dupuy, G. A.	Hull	Mills	Smith
Brewster	Elting	Iarussi	Moore	Stahl
Carlstrom	Fyke	Ireland	Morris	Sutherland
Catron	Gale	Jack	Nichols	Taff
Clarke	Ganschow	Jarman	Paddock	Todd
Corlett	Gee	Johnson, L. C.	Pincus	Trautmann
Cruden	Gilbert	Johnson, W. A.	Pinnell	Wilson
Cutting	Goodyear	Kerrick	Potts	Mr. President
Davis	Gray	Kunde	Rinaker	Yeas—63.
Dawes	Green	Lindly	Rosenberg	Nays—0.

Section 6, having received the votes of a majority of the Delegates elected, was declared passed and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 7, of the report of the Committee on Phraseology and Style, was taken up and read at large.

Whereupon Mr. Gale offered as a substitute section 6 of the report of the Committee on Revenue, Taxation and Finance in Proposal No. 378, as corrected, as follows:

"The General Assembly may vest the corporate authorities of cities, towns, villages and park districts, with power to make local improvements by special assessment, by special taxation of contiguous property, or otherwise."

Mr. Jarman offered the following amendment to the substitute and moved its adoption:

Amend the substitute by striking out, in the last line, the words "of contiguous property, or otherwise," and inserting in lieu thereof the words "of property which is specially and particularly benefited thereby, whether or not such property abuts upon such improvements."

And the amendment was lost.

The question recurring on the adoption of the substitute for section 7.

It was decided in the affirmative.

Mr. Clarke offered the following amendment and moved its adoption:

AMENDMENT No. 32.

Amend section 7, as amended, by adding after the word "districts," in line 2, the words, "jointly or severally."

And the amendment was adopted.

The question then being on the adoption of section 7, as amended, a call of the roll was had, resulting as follows: Yeas, 62; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	De Young	Hamill	Meinert	Shanahan
Barr	Dryer	Hogan	Mighell	Shuey
Brandon	Dunlap	Hollenbeck	Mills	Six
Brenholt	Dupuy, G. A.	Hull	Moore	Smith
Brewster	Elting	Iarussi	Morris	Stahl
Carlstrom	Fyke	Ireland	Nichols	Sutherland
Catron	Gale	Jack	Paddock	Taff
Clarke	Ganschow	Jarman	Pincus	Todd
Corlett	Gee	Johnson, L. C.	Pinnell	Trautmann
Cruden	Gilbert	Kerrick	Potts	Wilson
Cutting	Goodyear	Kunde	Rinaker	Mr. President
Davis	Gray	Lindly	Rosenberg	Yeas—62.
Dawes	Green	Mack		Nays—0.

Section 7, having received the votes of a majority of the Delegates elected, was declared passed and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Mr. Sutherland gave notice that on the next Convention day he would move to reconsider the vote by which section 7 was adopted.

Section 8, of the report of the Committee on Phraseology any Style, was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 62; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	De Young	Hamill	Mack	Shanahan
Barr	Dryer	Hogan	Meinert	Shuey
Brandon	Dunlap	Hollenbeck	Mighell	Six
Brenholt	Dupuy, G. A.	Hull	Mills	Smith
Brewster	Elting	Iarussi	Moore	Stahl
Carlstrom	Fyke	Ireland	Morris	Sutherland
Catron	Gale	Jack	Nichols	Taff
Clarke	Ganschow	Jarman	Paddock	Todd
Corlett	Gee	Johnson, L. C.	Pincus	Trautmann
Cruden	Gilbert	Johnson, W. A.	Pinnell	Wilson
Cutting	Goodyear	Kerrick	Rinaker	Mr. President
Davis	Gray	Kunde	Rosenberg	Yeas—62.
Dawes	Green	Lindly		Nays—0.

Section 8, having received the votes of a majority of the Delegates elected, was declared passed and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Mr. Sutherland gave notice that on the next Convention day he would move to reconsider the vote by which section 8 was adopted.

Section 9, of the report of the Committee on Phraseology and Style, was taken up and read at large.

Whereupon Mr. Clarke offered the following as a substitute for section 9 and moved its adoption:

Section 9. Except as otherwise provided in this article no county, township, school district or other municipal corporation shall become indebted in the aggregate, including its existing debt, to an amount exceeding 5% of the value of the taxable property therein as ascertained by the last assessment for State and county taxes previous to incurring the debt. (Except as otherwise provided in this article). The corporate body incurring any such debt shall before or at the time of doing so provide for the collection of a direct

annual tax sufficient to pay the interest on the debt and to pay the principal thereof in substantially equal annual installments within twenty years, but provision may be made for the payment of any part of such debt in advance.

The question being on the adoption of the substitute, it was decided in the affirmative.

Mr. Gilbert offered the following amendment and moved its adoption:

AMENDMENT No. 33.

Amend section 9, as amended, by striking out the rest of the sentence following the word "years" in next to the last line.

And the amendment was lost.

Mr. Gee offered the following amendment and moved its adoption:

AMENDMENT No. 34.

Amend section 9, as amended, by striking out after the word "debt" the words, "Except as otherwise provided in this article."

The question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 34; nays, 20.

And the amendment was adopted.

Mr. Gilbert offered the following amendment and moved its adoption:

AMENDMENT No. 35.

Amend section 9, as amended, by striking out in the last line the words, "in advance," and inserting in lieu thereof the words, "before maturity."

And the amendment was adopted.

Mr. DeYoung offered the following amendment and moved its adoption:

AMENDMENT No. 36.

Amend section 9, as amended, by striking out the words, "in substantially equal annual installments."

And the amendment was lost.

Mr. Jarman offered the following amendment and moved its adoption:

AMENDMENT No. 37.

Amend section 9, as amended, by striking out in the first line the words, "Except as otherwise provided in this article."

The question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 35; nays, 21.

And the amendment was adopted.

Mr. Sutherland offered the following amendment and moved its adoption:

AMENDMENT No. 38.

Amend section 9, as amended, by inserting after the figure "5%" in line 3, the following, "(Or 5½% in the event that the tax upon income from intangibles is imposed as provided in section 3 of this article.)"

And the amendment was lost.

Mr. Rinaker offered the following amendment and moved its adoption:

AMENDMENT No. 39.

Amend section 9, as amended, by striking out the words "in substantially equal annual installments."

And the amendment was lost.

The question then being on the adoption of section 9, as amended, a call of the roll was had, resulting as follows: Yeas, 61; nays, 1.

Those voting in the affirmative are: Messrs.

Adams	Dryer	Hamill	Mack	Rosenberg
Barr	Dunlap	Hogan	Meinert	Shanahan
Brandon	Dupuy, G. A.	Hollenbeck	Mighell	Shuey
Brenholt	Elting	Hull	Mills	Six
Brewster	Fyke	Iarussi	Moore	Smith
Carlstrom	Gale	Ireland	Morris	Stahl
Catron	Ganschow	Jack	Nichols	Sutherland
Clarke	Gee	Jarman	Paddock	Taff
Corlett	Gilbert	Johnson, W. A.	Pincus	Todd
Cruden	Goodyear	Kerrick	Pinnell	Trautmann
Cutting	Gray	Kunde	Potts	Wilson
Davis	Green	Lindly	Rinaker	Mr. President
Dawes				

Yeas—61.

Those voting in the negative are: Mr. De Young

Nays—1.

Section 9, having received the votes of a majority of the Delegates elected, was declared passed and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

At the hour of 6:00 o'clock p. m. Mr. Shanahan moved that the Convention do now take a recess until 8:00 o'clock p. m.

And the motion prevailed.

8:00 o'CLOCK P. M.

The hour of 8:00 o'clock p. m. having arrived the Convention resumed its session.

The President presiding.

Section 10, of the report of the Committee on Phraseology and Style, was taken up and read at large.

Whereupon Mr. Hull offered the following as a substitute for section 10 and moved its adoption:

Section 10. Cities may be authorized by law to issue bonds (in addition to any debt otherwise permitted by this Constitution) up to 15 per cent of the full value of the taxable real property therein as ascertained by the last assessment for State and county taxes previous to the issuance of such bonds; but any such bonds may be issued only for acquiring, leasing, constructing or operating income-producing property for supplying transportation, communication, light, heat, power or water. At or before the time of issuing any such bonds the city shall provide for the collection of a direct annual tax sufficient to pay the interest thereon and the principal thereof within thirty years. Unless otherwise provided in the ordinance authorizing the issuance of any bonds for financing any such income producing public utility such bonds shall be held to be issued under the foregoing provisions of this action.

Any city having issued bonds under the provisions of this section shall thereafter, at least four months before any tax for the payment of the principal and interest of any such bonds or for the payment of the principal and

interest or any other indebtedness incurred for financing the same utility becomes collectible by law, deposit with its treasurer, out of the gross earnings of the utility for financing which the debt to be discharged by any such tax was incurred, a sum equal in amount to such tax. The money so deposited shall be used only to pay such principal and interest. To the extent that such funds are deposited prior to the collection of any such tax it shall not be collected.

Any city having issued bonds under the provisions of this section shall thereafter establish and maintain such rates or charges for the service supplied as may be necessary to provide at least sufficient revenue to pay (a) the principal and interest of all outstanding bonded or other indebtedness incurred for financing such utility, and (b) the cost and expense involved in or incidental to the ownership, operation and maintenance of such utility, including reserves for repairs and renewals necessary to maintain the properties in first class condition.

Any taxpayer of a city shall have the right (which shall not be exclusive in him) to enforce the provisions of this section by appropriate proceedings in the Circuit Court of the county. Such courts shall enforce these provisions and for such purpose shall have all necessary powers including the power to regulate the service supplied by any such utility.

The question being on the adoption of the substitute, it was decided in the affirmative.

Mr. Kerrick offered the following amendment and moved its adoption:

AMENDMENT No. 40.

Amend section 10, as amended, by inserting after the word "cities" in line one, the words, "having a population of more than 500,000."

The question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 18; nays, 34.

And the amendment was lost.

Mr. Gale offered the following amendment and moved its adoption:

AMENDMENT No. 41.

Amend section 10, as amended, by inserting after the word "cities" in line one, the following words, "having a population of more than 100,000."

And the amendment was lost.

The question then being on the adoption of section 10, as amended, a call of the roll was had, resulting as follows: Yeas, 33; nays, 25.

Those voting in the affirmative are: Messrs.

Brandon	De Young	Hull	Mighell	Six
Brenholt	Elting	Iarussi	Pincus	Smith
Catron	Ganschow	Ireland	Pinnell	Stahl
Clarke	Gray	Jack	Potts	Sutherland
Cruden	Green	Jarman	Rosenberg	Todd
Davis	Hamill	Kunde	Shanahan	Trautmann
Dawes	Hogan	Meinert		

Yeas—33.

Those voting in the negative are: Messrs.

Adams	Cutting	Goodyear	Mack	Paddock
Barr	Dryer	Hollenbeck	Mills	Shuey
Brewster	Dupuy, G. A.	Johnson, W. A.	Moore	Taff
Carlstrom	Fyke	Kerrick	Morris	Wilson
Corlett	Gilbert	Lindly	Nichols	Mr. President

Nays—25.

Section 10, having failed to receive the votes of a majority of the Delegates elected, was declared lost.

Mr. Carlstrom gave notice that on the next Convention day he would move to reconsider the vote by which section 10 had failed to pass.

Section 11, of the report of the Committee on Phraseology and Style, was taken up and read at large.

Whereupon Mr. Hull offered the following as a substitute for section 11 and moved its adoption:

Section 11. Each issue of bonds or other securities by a city for financing any income-producing public utility shall be payable in substantially equal annual installments of principal and interest combined beginning not more than five years from the date thereof, but provision may be made for the payment of any part of such debt in advance. No such bonds or other securities shall be issued unless the proposition therefor is approved at an election by three-fifths of those voting on the question.

Any city owning or operating a public utility shall conform to the requirements for keeping account and for the audit thereof and for making reports that may be prescribed by law for a like utility privately owned.

Laws may be passed in aid of this and the preceding section.

The question being on the adoption of the substitute, it was decided in the affirmative.

Pending discussion Mr. Hull moved that further consideration of section 11, as amended, be postponed.

And the motion prevailed.

At the hour of 9:55 o'clock p. m. Mr. Trautmann moved that the Convention do now adjourn until 9:00 o'clock a. m. tomorrow.

The motion prevailed.

And the Convention stood adjourned.

THURSDAY, MARCH 2, 1922, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. E. T. Carroll, of the First Methodist Church, of Greenville.

The Journal of Tuesday, February 28th, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

Mr. Sutherland, in accordance with his notice of yesterday, moved to reconsider the vote by which section 7, of the report of the Committee on Phraseology and Style, was adopted and that further consideration of the motion to reconsider be postponed until the next Convention day.

And the motion prevailed.

Mr. Sutherland, in accordance with his notice of yesterday, moved to reconsider the vote by which section 8, of the report of the Committee on Phraseology and Style, was adopted and that further consideration of the motion to reconsider be postponed until the next Convention day.

And the motion prevailed.

Mr. Barr stated that on yesterday Mr. Carlstrom gave notice that on the next Convention day he would move to reconsider the vote by which section 10 had failed to pass; that Mr. Carlstrom was absent, and having himself voted with the prevailing side, moved that the vote by which section 10 had failed to pass be reconsidered and that further consideration of the motion to reconsider be postponed until the next Convention day.

And the motion prevailed.

The next order of business being the consideration of Report No. 10, of the Committee on Phraseology and Style, on the subject of Preamble, the same was taken up and read at large.

And the question being on the adoption of the report of the committee, a call of the roll was had, resulting as follows: Yeas, 56; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Fyke	Iarussi	Mills	Shuey
Barr	Gale	Ireland	Moore	Six
Brandon	Ganschow	Jack	Morris	Smith
Brewster	Gee	Jarman	Nichols	Stahl
Carlstrom	Gilbert	Johnson, W. A.	Paddock	Sutherland
Catron	Goodyear	Kerrick	Pincus	Taff
Clarke	Gray	Kunde	Pinnell	Todd
Corlett	Green	Lindly	Potts	Traeger
Cutting	Hamill	Mack	Rinaker	Wilson
Dawes	Hogan	Meinert	Rosenberg	Mr. President
Dupuy, G. A.	Hollenbeck	Mighell	Shanahan	Yeas—56.
Elting	Hull			Nays—0.

The report having received the votes of a majority of the Delegates elected, was declared passed and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

The Convention proceeding upon the consideration of Report No. 5, of the Committee on Phraseology and Style, on the subject of Boundaries, the same was taken up and read at large.

Whereupon Mr. Taff moved that the report of the Committee on Phraseology and Style be ordered to lie on the table.

And the motion prevailed.

The Convention proceeding upon the consideration of Report No. 3, of the Committee on Phraseology and Style, on the subject of Distribution of Powers, the same was taken up and read at large.

And the question being on the adoption of the report of the committee, a call of the roll was had, resulting as follows: Yeas, 56; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Fyke	Iarussi	Mills	Shuey
Barr	Gale	Ireland	Moore	Six
Brandon	Ganschow	Jack	Morris	Smith
Brewster	Gee	Jarman	Nichols	Stahl
Carlstrom	Gilbert	Johnson, W. A.	Paddock	Sutherland
Catron	Goodyear	Kerrick	Pincus	Taff
Clarke	Gray	Kunde	Pinnell	Todd
Corlett	Green	Lindly	Potts	Trautmann
Cutting	Hamill	Mack	Rinaker	Wilson
Dawes	Hogan	Meinert	Rosenberg	Mr. President
Dupuy, G. A.	Hollenbeck	Mighell	Shanahan	Yeas—56.
Elting	Hull			Nays—0.

The report having received the votes of a majority of the Delegates elected, was declared passed and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

The Convention proceeding upon the consideration of Report No. 9, of the Committee on Phraseology and Style, on the subject of Bill of Rights, section 1 thereof was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 56; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Fyke	Iarussi	Mills	Shuey
Barr	Gale	Ireland	Moore	Six
Brandon	Ganschow	Jack	Morris	Smith
Brewster	Gee	Jarman	Nichols	Stahl
Carlstrom	Gilbert	Johnson, W. A.	Paddock	Sutherland
Catron	Goodyear	Kerrick	Pincus	Taff
Clarke	Gray	Kunde	Pinnell	Todd
Corlett	Green	Lindly	Potts	Traeger
Cutting	Hamill	Mack	Rinaker	Wilson
Dawes	Hogan	Meinert	Rosenberg	Mr. President
Dupuy, G. A.	Hollenbeck	Mighell	Shanahan	Yeas—56.
Elting	Hull			Nays—0.

Section 1, having received the votes of a majority of the Delegates elected, was declared passed and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 2 was taken up and read at large.

Whereupon Mr. Elting offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend said section 2 by inserting after the figure "2" in the first line thereof, the following: "No law shall be made, or enforced, which shall abridge the privileges and immunities of any citizen, nor deny to any person the equal protection of the laws, and."

And the amendment was lost.

The question recurring on the adoption of section 2, a call of the roll was had, resulting as follows: Yeas, 56; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Fyke	Iarussi	Mills	Shuey
Barr	Gale	Ireland	Moore	Six
Brandon	Ganschow	Jack	Morris	Smith
Brewster	Gee	Jarman	Nichols	Stahl
Carlstrom	Gilbert	Johnson, W. A.	O'Brien	Sutherland
Catron	Goodyear	Kerrick	Pincus	Taff
Clarke	Gray	Kunde	Pinnell	Todd
Corlett	Green	Lindly	Potts	Trautmann
Cutting	Hamill	Mack	Rinaker	Wilson
Dawes	Hogan	Meinert	Rosenberg	Mr. President
Dupuy, G. A.	Hollenbeck	Mighell	Shanahan	Yeas—56.
Elting	Hull			Nays—0.

Section 2, having received the votes of a majority of the Delegates elected, was declared passed and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 3 was taken up and read at large.

Whereupon Mr. Carlstrom moved that consideration be postponed.

And the motion prevailed.

Section 4 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 55; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Gale	Iarussi	Mills	Shuey
Barr	Ganschow	Ireland	Moore	Six
Brandon	Gee	Jack	Morris	Smith
Brewster	Gilbert	Jarman	Nichols	Stahl
Catron	Goodyear	Johnson, W. A.	Paddock	Sutherland
Clarke	Gray	Kerrick	Pincus	Taff
Corlett	Green	Kunde	Pinnell	Todd
Cutting	Hamill	Lindly	Potts	Trautmann
Dawes	Hogan	Mack	Rinaker	Wilson
Dupuy, G. A.	Hollenbeck	Meinert	Rosenberg	Mr. President
Elting	Hull	Mighell	Shanahan	Yeas—55.
Fyke				Nays—0.

Section 4, having received the votes of a majority of the Delegates elected, was declared passed and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 5 was taken up and read at large.

Whereupon Mr. Corlett moved that consideration be postponed.

And the motion prevailed.

Section 6 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 56; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Fyke	Iarussi	Mills	Shuey
Barr	Gale	Ireland	Moore	Six
Brandon	Ganschow	Jack	Morris	Smith
Brewster	Gee	Jarman	Nichols	Stahl
Carlstrom	Gilbert	Johnson, W. A.	Paddock	Sutherland
Catron	Goodyear	Kerrick	Pincus	Taff
Clarke	Gray	Kunde	Pinnell	Todd
Corlett	Green	Lindly	Quinn	Trautmann
Cutting	Hamill	Mack	Rinaker	Wilson
Dawes	Hogan	Meinert	Rosenberg	Mr. President
Dupuy, G. A.	Hollenbeck	Mighell	Shanahan	Yeas—56.
Elting	Hull			Nays—0.

Section 6, having received the votes of a majority of the Delegates elected, was declared passed and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 7 was taken up and read at large.

Whereupon Mr. Dawes moved that consideration be postponed.

And the motion prevailed.

Section 8 was taken up and read at large.

Whereupon Mr. Mack moved that consideration be postponed.

And the motion prevailed.

Section 9 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 56; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Fyke	Iarussi	Mills	Shuey
Barr	Gale	Ireland	Moore	Six
Brandon	Ganschow	Jack	Morris	Smith
Brewster	Gee	Jarman	Nichols	Stahl
Carlstrom	Gilbert	Johnson, W. A.	Paddock	Sutherland
Catron	Goodyear	Kerrick	Pincus	Taff
Clarke	Gray	Kunde	Pinnell	Todd
Corlett	Green	Lindly	Potts	Trautmann
Cutting	Hamill	Mack	Rinaker	Wilson
Dawes	Hogan	Meinert	Rosenberg	Mr. President
Dupuy, G. A.	Hollenbeck	Mighell	Shanahan	
Elting	Hull			

Yeas—56.
Nays—0.

Section 9, having received the votes of a majority of the Delegates elected, was declared passed and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 10 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 56; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Fyke	Iarussi	Mills	Shuey
Barr	Gale	Ireland	Moore	Six
Brandon	Ganschow	Jack	Morris	Smith
Brewster	Gee	Jarman	Nichols	Stahl
Carlstrom	Gilbert	Johnson, W. A.	Paddock	Sutherland
Catron	Goodyear	Kerrick	Pincus	Taff
Clarke	Gray	Kunde	Pinnell	Todd
Corlett	Green	Lindly	Potts	Trautmann
Cutting	Hamill	Mack	Rinaker	Wilson
Dawes	Hogan	Meinert	Rosenberg	Mr. President
Dupuy, G. A.	Hollenbeck	Mighell	Shanahan	
Elting	Hull			

Yeas—56.
Nays—0.

Section 10, having received the votes of a majority of the Delegates elected, was declared passed and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 11 was taken up and read at large.

Whereupon Mr. G. A. Dupuy moved that consideration be postponed.

And the motion prevailed.

Section 12 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 56; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Fyke	Iarussi	Mills	Shuey
Barr	Gale	Ireland	Moore	Six
Brandon	Ganschow	Jack	Morris	Smith
Brewster	Gee	Jarman	Nichols	Stahl
Carlstrom	Gilbert	Johnson, W. A.	Paddock	Sutherland
Catron	Goodyear	Kerrick	Pincus	Taff
Clarke	Gray	Kunde	Pinnell	Todd
Corlett	Green	Lindly	Potts	Trautmann
Cutting	Hamill	Mack	Rinaker	Wilson
Dawes	Hogan	Meinert	Rosenberg	Mr. President
Dupuy, G. A.	Hollenbeck	Mighell	Shanahan	
Elting	Hull			

Yeas—56.
Nays—0.

Section 12, having received the votes of a majority of the Delegates elected, was declared passed and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 13 was taken up and read at large.

Whereupon Mr. Clarke moved that consideration be postponed.

And the motion prevailed.

Section 14 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 56; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Fyke	Iarussi	Mills	Shuey
Barr	Gale	Ireland	Moore	Six
Brandon	Ganschow	Jack	Morris	Smith
Brewster	Gee	Jarman	Nichols	Stahl
Carlstrom	Gilbert	Johnson, W. A.	Paddock	Sutherland
Catron	Goodyear	Kerrick	Pincus	Taff
Clarke	Gray	Kunde	Pinnell	Todd
Corlett	Green	Lindly	Potts	Trautmann
Cutting	Hamill	Mack	Rinaker	Wilson
Dawes	Hogan	Meinert	Rosenberg	Mr. President
Dupuy, G. A.	Hollenbeck	Mighell	Shanahan	Yeas—56.
Elting	Hull			Nays—0.

Section 14, having received the votes of a majority of the Delegates elected, was declared passed and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 15 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 54; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Elting	Hollenbeck	Mighell	Shanahan
Barr	Fyke	Hull	Mills	Shuey
Brandon	Gale	Iarussi	Moore	Smith
Brewster	Ganschow	Ireland	Morris	Stahl
Carlstrom	Gee	Jack	Nichols	Sutherland
Catron	Gilbert	Jarman	Paddock	Taff
Clarke	Goodyear	Johnson, W. A.	Pincus	Todd
Corlett	Gray	Kerrick	Pinnell	Trautmann
Cutting	Green	Kunde	Potts	Wilson
Dawes	Hamill	Lindly	Rinaker	Mr. President
Dupuy, G. A.	Hogan	Meinert	Rosenberg	Yeas—54.
				Nays—0.

Section 15, having received the votes of a majority of the Delegates elected, was declared passed and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Mr. Wilson moved to reconsider the vote by which section 15 was adopted and that further consideration of the motion to reconsider be postponed.

And the motion prevailed.

Section 16 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 53; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Elting	Hull	Mills	Shuey
Barr	Fyke	Iarussi	Moore	Smith
Brandon	Gale	Ireland	Morris	Stahl
Brewster	Ganschow	Jack	Nichols	Sutherland
Carlstrom	Gee	Jarman	Paddock	Taff
Catron	Gilbert	Johnson, W. A.	Pincus	Todd
Clarke	Goodyear	Kerrick	Pinnell	Trautmann
Corlett	Gray	Kunde	Potts	Wilson
Cutting	Green	Lindly	Rinaker	Mr. President
Dawes	Hogan	Meinert	Rosenberg	Yeas—53.
Dupuy, G. A.	Hollenbeck	Mighell	Shanahan	Nays—0.

Section 16, having received the votes of a majority of the Delegates elected, was declared passed and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 17 was taken up and read at large.

Whereupon Mr. Gale moved that consideration be postponed.

And the motion prevailed.

Section 18 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 54; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Elting	Hollenbeck	Mighell	Shanahan
Barr	Fyke	Hull	Mills	Shuey
Brandon	Gale	Iarussi	Moore	Smith
Brewster	Ganschow	Ireland	Morris	Stahl
Carlstrom	Gee	Jack	Nichols	Sutherland
Catron	Gilbert	Jarman	Paddock	Taff
Clarke	Goodyear	Johnson, W. A.	Pincus	Todd
Corlett	Gray	Kerrick	Pinnell	Trautmann
Cutting	Green	Kunde	Potts	Wilson
Dawes	Hamill	Lindly	Rinaker	Mr. President
Dupuy, G. A.	Hogan	Meinert	Rosenberg	

Yeas—54.
Nays—0.

Section 18, having received the votes of a majority of the Delegates elected, was declared passed and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

At the hour of 11:05 o'clock a. m., Mr. Trautmann moved that the Convention do now adjourn until Tuesday, March 7, 1922, at 9:00 o'clock a. m.

The motion prevailed.

And the Convention stood adjourned.

TUESDAY, MARCH 7, 1922, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. A. W. Bartholomew, of the First Presbyterian Church, of Kansas.

The Journal of Wednesday, March 1, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The Convention proceeding upon the further consideration of Report No. 9, of the Committee on Phraseology and Style, on the subject of Bill of Rights, section 3 thereof was again taken up.

Whereupon, Mr. Traeger offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend section 3 by striking out the last sentence thereof.

Pending consideration, Mr. Hamill offered the following as a substitute for Amendment No. 2, and moved its adoption:

Amend section 3, of article 9, in the last sentence by striking out the words "selections from any version of the old and new testaments, without comment" and inserting in lieu thereof the words "any good literature."

And the substitute for Amendment No. 2 was lost.

Pending discussion, at the hour of 12:30 o'clock p. m., Mr. Rinaker moved that the Convention do now take a recess until 2:00 o'clock p. m.

And the motion prevailed.

2:00 O'CLOCK P. M.

The hour of 2:00 o'clock p. m. having arrived, the Convention resumed its session.

The President presiding.

The pending question at the hour of taking a recess being the consideration of Amendment No. 2, to section 3, of Report No. 9, the same was again taken up.

The question being on the adoption of the amendment offered by Mr. Traeger, on demand of five Delegates a call of the roll was had, resulting as follows: Yeas, 16; nays, 45.

Those voting in the affirmative are: Messrs.

Clarke	Fifer	Hull	Michal	Shanahan
Corlett	Gale	Iarussi	Morris	Traeger
Cutting	Hamill	Kunde	Quinn	Trautmann
Davis				

Yeas—16.

Those voting in the negative are: Messrs.

Adams	Cruden	Green	Mack	Rinaker
Barr	Dawes	Hogan	McGuire	Shuey
Brandon	De Young	Hollenbeck	Meinert	Smith
Brenholt	Dunlap	Ireland	Mighell	Stahl
Carey, A. J.	Dupuy, G. A.	Jack	Miller	Sutherland
Cary, C. D.	Elting	Johnson, L. C.	Mills	Taff
Carlstrom	Fyke	Johnson, W. A.	Moore	Warren
Catron	Gee	Kerrick	Nichols	Wilson
Chew	Gilbert	Lindly	Paddock	Mr. President

Nays—45.

And the amendment was lost.

The question recurring on the adoption of section 3, a call of the roll was had, resulting as follows: Yeas, 53; nays, 9.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Hamill	McGuire	Shuey
Barr	De Young	Hogan	Meinert	Smith
Brandon	Dunlap	Hollenbeck	Mighell	Sneed
Brenholt	Dupuy, G. A.	Hull	Miller	Stahl
Carey, A. J.	Elting	Ireland	Mills	Sutherland
Cary, C. D.	Fifer	Jack	Moore	Taff
Carlstrom	Fyke	Johnson, L. C.	Morris	Trautmann
Catron	Gale	Johnson, W. A.	Nichols	Warren
Chew	Gee	Kerrick	Paddock	Wilson
Cruden	Gilbert	Lindly	Rinaker	Mr. President
Cutting	Green	Mack		

Yeas—53.

Those voting in the negative are: Messrs.

Clarke	Davis	Kunde	Quinn	Traeger
Corlett	Iarussi	Michal	Shanahan	

Nays—9.

Section 3, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Mr. Rinaker moved to reconsider the vote by which section 3 was adopted.

Whereupon Mr. Lindley moved to lay that motion on the table.

And the question being on the motion to table, it was decided in the affirmative.

Section 5 was again taken up.

Whereupon Mr. Michal offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend section 5 by striking out all after the word and figure "Section 5" and inserting in lieu thereof the following: "The right of trial by jury as heretofore enjoyed shall remain inviolate, but the trial of civil cases before Justices of the Peace, by a jury of less than twelve men, may be authorized by law; but women shall not be eligible to serve as jurors."

The question being on the adoption of the amendment a division of the Convention was had, resulting as follows: Yeas, 16; nays, 35.

And the amendment was lost.

Mr. Miller offered the following amendment and moved its adoption:

AMENDMENT No. 4.

Amend section 5 by striking out of the last sentence the following words: "and verdicts not unanimous."

And the amendment was adopted.

Mr. Green offered the following amendment and moved its adoption:

AMENDMENT No. 5.

Amend section 5 by striking out, in next to the last sentence, the following words: "but not required."

The question being on the adoption of the amendment a division of the Convention was had, resulting as follows: Yeas, 32; nays, 25.

And the amendment was adopted.

Mr. Green offered the following amendment and moved its adoption:

AMENDMENT No. 6.

Amend section 5 by striking out, in next to the last sentence, the following words: "Women shall be eligible to serve as jurors."

Pending discussion Mr. Green moved that further consideration of section 5 be postponed.

And the motion prevailed.

Section 7 was again taken up.

Whereupon Mr. Cutting offered the following as a substitute for section 7 and moved its adoption:

Section 7. Excessive bail shall not be required. The privilege or writ of habeas corpus shall not be suspended unless in cases of rebellion or invasion the public safety may require it.

Pending discussion Mr. Davis moved that further consideration of section 7 be postponed.

And the motion prevailed.

Upon request of their colleagues, Delegates Whitman, Dryer, Jarman, Pinnell, Brewster and Wall were excused from attendance at the Convention.

Mr. Carlstrom called up the motion to reconsider the vote by which section 10, of Report No. 11, of the Committee on Phraseology and Style, was adopted, and moved that consideration of the motion to reconsider be postponed.

And the motion prevailed.

Mr. Sutherland called up his motion to reconsider the vote by which section 7, of Report No. 11, of the Committee on Phraseology and Style, was adopted, and moved that consideration of the motion to reconsider be postponed.

And the motion prevailed.

Mr. Sutherland called up his motion to reconsider the vote by which section 8, of Report No. 11, of the Committee on Phraseology and Style, was adopted.

And the question being on the motion to reconsider, it was decided in the affirmative.

Whereupon Mr. Sutherland offered the following amendment and moved its adoption:

AMENDMENT No. 42.

Amend section 8 of the report of the Committee on Phraseology and Style, by striking out all after the figure 8 and substituting therefor the following:

"The General Assembly shall not impose taxes (except the income taxes heretofore authorized) in municipal corporations for corporate purposes, but shall vest the corporate authorities of municipal corporations with authority to assess and collect taxes for all corporate purposes such taxes to be uniform as to persons and property; and shall require such corporate authority to assess and collect taxes in accordance with the principles of taxation fixed in this Constitution for the payment of debts contracted under authority of law. Private property shall not be liable to be taken or sold for payment of the corporate debts of a municipal corporation."

Pending consideration, at the hour of 6:55 o'clock p. m., Mr. Mills moved that the Convention do now adjourn until 9:00 o'clock a. m., tomorrow.

The motion prevailed.

And the Convention stood adjourned.

WEDNESDAY, MARCH 8, 1922, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. A. W. Bartholomew, of the First Presbyterian Church, of Kansas.

The Journal of Thursday, March 2d, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

The pending question at the hour of adjournment on yesterday being the consideration of Amendment No. 42 to section 8, of Report No. 11, of the Committee on Phraseology and Style, the same was again taken up.

Whereupon Mr. Miller offered the following amendment to the amendment and moved its adoption:

AMENDMENT NO. 1 TO AMENDMENT NO. 42.

Amend the amendment by substituting the word "may" for the word "shall" in the third line.

And the amendment to the amendment was adopted.

Mr. Clarke offered the following as a substitute for Amendment No. 42, and moved its adoption:

Amend section 8 of the report of the Committee on Phraseology and Style, by striking out all after the figure 8 and substituting therefor the following:

"The General Assembly shall not impose taxes (except the income taxes heretofore authorized) in municipal corporations for corporate purposes, but may vest the corporate authorities thereof with authority to assess and collect taxes for all corporate purposes, and shall require them to assess and collect taxes for the payment of debts contracted under authority of law. Private property shall not be liable for such debts. All such taxes shall be uniform as to persons and property."

The question being on the adoption of the substitute for Amendment No. 42, a division of the Convention was had, resulting as follows: Yeas, 35; nays, 18.

And the substitute was adopted.

The question then being on the adoption of section 8, as amended, a call of the roll was had, resulting as follows: Yeas, 59; nays, 1.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Hollenbeck	McGuire	Shuey
Barr	Davis	Hull	Meinert	Smith
Beckman	Dawes	Iarussi	Michal	Sneed
Brandon	Dupuy, G. A.	Ireland	Mighell	Stahl
Brenholt	Fyke	Jack	Miller	Sutherland
Brewster	Gale	Johnson, L. C.	Mills	Taff
Cary, C. D.	Gee	Johnson, W. A.	Moore	Traeger
Carlstrom	Gilbert	Kerrick	Morris	Trautmann
Chew	Goodyear	Kunde	Nichols	Warren
Clarke	Gray	Lill	Paddock	Wilson
Corlett	Hamill	Mack	Quinn	Mr. President
Cruden	Hogan	McEwen	Rinaker	

Yeas—59.

Those voting in the negative are: Mr. Elting Nays—1.

Section 8, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

The Convention proceeding upon the further consideration of Report No. 9, of the Committee on Phraseology and Style, on the subject of Bill of Rights, section 7 thereof was again taken up.

And the pending question being the adoption of the substitute, offered by Mr. Cutting on yesterday.

The same was, by unanimous consent, withdrawn.

Whereupon Mr. Cutting offered the following as a substitute for section 7, and moved its adoption:

"Section 7. Excessive bail shall not be required. All persons shall be bailable by sufficient sureties except for capital offenses where the proof is evident or the presumption great, and except that in the case of second or repeating offenders the Court may, in its discretion refuse bail. The privilege of the writ of habeas corpus shall not be suspended unless, in cases of rebellion or invasion, the public safety may require it."

Mr. Michal offered the following as an amendment to the substitute and moved its adoption:

Amend the substitute by striking out all after the word and figure "Section 7" and inserting in lieu thereof the following:

"Excessive bail shall not be required. All persons shall be bailable by sufficient sureties, except for capital offenses, when the proof is evident or the presumption great, and except that in the case of one previously convicted of a felony the Court may, in its discretion, refuse bail. The privilege of the writ of habeas corpus shall not be suspended unless, in cases of rebellion or invasion, the public safety may require it."

And the amendment was adopted.

The question then being on the adoption of the substitute, as amended, a division of the Convention was had, resulting as follows: Yeas, 32; nays, 25.

And the substitute was adopted.

Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 7.

Amend section 7, as amended, by striking out the word "felony" and inserting in lieu thereof the word "crime."

And the amendment was adopted.

Mr. Rinaker offered the following as a substitute for section 7, as amended, and moved its adoption:

"Section 7. All persons shall be bailable by sufficient sureties, except (1) for capital offenses where the proof is evident or the presumption great, (2) where, in the opinion of the Court the defendant is a habitual criminal, (3) where the defendant has been previously convicted of a crime and, in the opinion of the Court no bail should be taken. The privilege of the writ of habeas corpus shall not be suspended, unless in cases of rebellion or invasion the public safety may require it."

Pending discussion, at the hour of 12:35 o'clock p. m., Mr. Rinaker moved that the Convention do now take a recess until 3:00 o'clock p. m.

And the motion prevailed.

3:00 o'Clock P. M.

The hour of 3:00 o'clock p. m. having arrived, the Convention resumed its session.

The President presiding.

The pending question at the hour of taking a recess being the consideration of the substitute to section 7, offered by Mr. Rinaker, the same was, by unanimous consent, withdrawn.

Mr. Cutting offered the following amendment and moved its adoption:

Amendment No. 8.

Amend section 7 by striking out the second sentence of the section.

Whereupon Mr. Michal offered the following as a substitute and moved its adoption:

"All persons shall be bailable, by sufficient sureties, except for capital offenses, where the proof is evident or the presumption great, and the privilege of the writ of habeas corpus shall not be suspended, unless when in cases of rebellion or invasion the public safety may require it."

The question being on the adoption of the substitute it was decided in the negative.

The question recurring on the adoption of Amendment No. 8, it was decided in the affirmative.

The question then being on the adoption of section 7, as amended, a call of the roll was had, resulting as follows: Yeas, 58; nays, 6.

Those voting in the affirmative are: Messrs.

Adams	Corlett	Gray	Mack	Scanlan
Barr	Cutting	Green	McEwen	Shuey
Beckman	Davis	Hamill	McGuire	Smith
Brandon	Dawes	Hollenbeck	Meinert	Sneed
Brenholt	De Young	Hull	Michal	Stahl
Brewster	Dunlap	Ireland	Miller	Taff
Carey, A. J.	Dupuy, G. A.	Jack	Mills	Traeger
Cary, C. D.	Fifer	Johnson, L. C.	Moore	Trautmann
Carlstrom	Fyke	Johnson, W. A.	Nichols	Warren
Catron	Gale	Kerrick	Paddock	Wilson
Chew	Gilbert	Lill	Rinaker	Mr. President
Clarke	Goodyear	Lindly		

Yeas—58.

Those voting in the negative are: Messrs.

Elting	Hogan	Iarussi	Mighell	Morris
Gee				

Nays—6.

Section 7, having received the votes of a majority of the delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Mr. Michal moved to reconsider the vote by which section 7 was adopted.

Whereupon Mr. Cutting moved to lay that motion on the table.

And the question being on the motion to table it was decided in the affirmative.

By unanimons consent Mr. Sutherland was excused from attendance at the Convention on account of illness.

Section 5 was again taken up.

Whereupon Mr. Green offered the following amendment and moved its adoption:

AMENDMENT No. 9.

Amend section 5 of Report No. 9, of the Committee on Phraseology and Style, so that the same shall read as follows:

"The right of trial by jury shall remain inviolate. The General Assembly may provide that women shall be eligible to serve as jurors. In civil cases juries of less than twelve may be authorized by law. A jury may be waived except in capital cases."

And the amendment was adopted.

The question then being on the adoption of section 5, as amended, a call of the roll was had, resulting as follows: Yeas, 62; nays, 2.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Gray	Lill	Paddock
Barr	Davis	Green	Lindly	Scanlan
Beckman	Dawes	Hamill	Mack	Shanahan
Brandon	De Young	Hogan	McEwen	Shuey
Brenholt	Dryer	Hollenbeck	McGuire	Smith
Brewster	Dupuy, G. A.	Hull	Meinert	Stahl
Carey, A. J.	Elting	Iarussi	Mighell	Taff
Cary, C. D.	Fifer	Ireland	Miller	Traeger
Carlstrom	Fyke	Jack	Mills	Trautmann
Catron	Gale	Johnson, L. C.	Moore	Warren
Chew	Gee	Johnson, W. A.	Morris	Wilson
Clarke	Gilbert	Kerrick	Nichols	Mr. President
Corlett	Goodyear			

Yeas—62.

Those voting in the negative are: Messrs.

Michal Sneed

Nays—2.

Section 5, having received the votes of a majority of the delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 8 was again taken up.

Whereupon Mr. Clarke offered the following amendment and moved its adoption:

AMENDMENT No. 10.

Amend section 8 of Report No. 9, of the Committee on Phraseology and Style, so that the same shall read as follows:

"Except in cases of impeachment and in cases arising in the army and navy and in the militia when in actual service in time of war or public danger, no person shall be held to answer for a felony unless on indictment by a grand jury, or (save in capital cases) on information filed by the Attorney General or the State's Attorney by leave of a court of record of competent jurisdiction after a hearing in such court showing probable cause. A grand jury shall consist of fifteen persons, eleven of whom shall be present and agree to every indictment."

Mr. Michal offered the following amendment to the amendment and moved its adoption:

AMENDMENT No. 1 TO AMENDMENT No. 10.

Amend Amendment No. 10, so as to read as follows:

"No person shall be held to answer for a criminal offense, unless on indictment of a grand jury, except in cases in which the punishment is by fine, or imprisonment otherwise than in the penitentiary, in cases of impeachment, and in cases arising in the army and navy, or in the militia when in actual service in time of war or public danger."

And the amendment to the amendment was lost.

Mr. Taff offered the following amendment to the amendment and moved its adoption:

AMENDMENT NO. 2 TO AMENDMENT NO. 10.

Amend Amendment No. 10 by striking out the last sentence thereof.

The question being on the adoption of the amendment to the amendment, a division of the Convention was had, resulting as follows: Yeas, 42; nays, 1.

And the amendment to the amendment was adopted.

The question recurring on the adoption of Amendment No. 10, as amended, it was decided in the affirmative.

The question then being on the adoption of section 8, as amended, a call of the roll was had, resulting as follows: Yeas, 60; nays, 4.

Those voting in the affirmative are: Messrs.

Adams	Corlett	Goodyear	Lill	Rinaker
Barr	Cutting	Gray	Lindly	Scanlan
Beckman	Davis	Green	Mack	Shanahan
Brandon	Dawes	Hamill	McGuire	Shuey
Brenholt	Dryer	Hogan	Meinert	Smith
Brewster	Dunlap	Hull	Mighell	Stahl
Carey, A. J.	Dupuy, G. A.	Iarussi	Miller	Taff
Cary, C. D.	Elting	Ireland	Mills	Traeger
Carlstrom	Fifer	Jack	Moore	Trautmann
Catron	Fyke	Johnson, L. C.	Morris	Warren
Chew	Gale	Johnson, W. A.	Nichols	Wilson
Clarke	Gilbert	Kerrick	Paddock	Mr. President

Yeas—60.

Those voting in the negative are: Messrs.

Hollenbeck	McEwen	Michal	Sneed	Nays—4.

Section 8, having received the votes of a majority of the delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Mr. Hamill gave notice that on the next Convention day, he would move to reconsider the vote by which section 8 was adopted.

Section 11 was again taken up.

Whereupon Mr. Dupuy offered as a substitute section 11 of the report of the Committee of the Whole, with the substitution of the word "State" for the word "same," in the last line.

And the question being on the adoption of the substitute it was decided in the affirmative.

The question then being on the adoption of section 11, as amended, a call of the roll was had, resulting as follows: Yeas, 64; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Goodyear	Lill	Paddock
Barr	Davis	Gray	Lindly	Rinaker
Beckman	Dawes	Green	Mack	Scanlan
Brandon	De Young	Hamill	McEwen	Shanahan
Brenholt	Dryer	Hogan	McGuire	Shuey
Brewster	Dunlap	Hollenbeck	Meinert	Smith
Carey, A. J.	Dupuy, G. A.	Hull	Michal	Sneed
Cary, C. D.	Elting	Iarussi	Mighell	Stahl
Carlstrom	Fifer	Ireland	Miller	Trautmann
Catron	Fyke	Jack	Mills	Warren
Chew	Gale	Johnson, L. C.	Moore	Wilson
Clarke	Gee	Johnson, W. A.	Morris	Mr. President
Corlett	Gilbert	Kerrick	Nichols	

Yeas—64.
Nays—0.

Section 11, having received the votes of a majority of the delegates elected, was declared passed, and under the rules was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 13 was again taken up.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 64; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Gray	Mack	Scanlan
Barr	Davis	Green	McEwen	Shanahan
Beckman	Dawes	Hamill	McGuire	Shuey
Brandon	De Young	Hogan	Meinert	Smith
Brenholt	Dryer	Hollenbeck	Michal	Sneed
Brewster	Dunlap	Hull	Mighell	Stahl
Carey, A. J.	Dupuy, G. A.	Iarussi	Miller	Traeger
Cary, C. D.	Elting	Jack	Mills	Trautmann
Carlstrom	Fifer	Johnson, L. C.	Moore	Warren
Catron	Fyke	Johnson, W. A.	Morris	Wilson
Chew	Gale	Kerrick	Nichols	Mr. President
Clarke	Gilbert	Lill	Paddock	Yeas—64.
Corlett	Goodyear	Lindly	Rinaker	Nays—0.

Section 13, having received the votes of a majority of the delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 15 was again taken up.

And the question being on the motion of Mr. Wilson to reconsider the vote by which the section was heretofore adopted.

It was decided in the affirmative.

Whereupon Mr. Mighell offered the following amendment and moved its adoption:

AMENDMENT No. 11.

Amend section 15 by striking out the last sentence of the section.

And the question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 15; nays, 31.

And the amendment was lost.

Mr. Dupuy offered the following amendment and moved its adoption:

AMENDMENT No. 12.

Amend section 15 by adding at the end thereof the following words: "of the latter."

And the amendment was lost.

The question then being on the adoption of section 15, a call of the roll was had, resulting as follows: Yeas, 64; nays, 0.

Those voting in the negative are: Messrs.

Adams	Cutting	Goodyear	Lindly	Rinaker
Barr	Davis	Gray	Mack	Scanlan
Beckman	Dawes	Green	McEwen	Shanahan
Brandon	De Young	Hamill	McGuire	Shuey
Brenholt	Dryer	Hogan	Meinert	Smith
Brewster	Dunlap	Hollenbeck	Michal	Sneed
Carey, A. J.	Dupuy, G. A.	Hull	Mighell	Stahl
Cary, C. D.	Elting	Iarussi	Miller	Taff
Carlstrom	Fifer	Ireland	Mills	Trautmann
Catron	Fyke	Jack	Moore	Warren
Chew	Gale	Johnson, L. C.	Morris	Wilson
Clarke	Gee	Kerrick	Nichols	Mr. President
Corlett	Gilbert	Lill	Paddock	Yeas—64.
				Nays—0.

Section 15, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 17 was again taken up.

Whereupon Mr. Gale offered the following amendment and moved its adoption:

AMENDMENT No. 13.

Amend section 17 of article 9 by adding thereto the following: "And the right of political parties to nominate candidates for public office in such manner as they may determine shall not be abridged or denied, but the method of selecting delegates to party conventions may be regulated by general law."

Mr. Michal offered the following amendment to the amendment and moved its adoption:

AMENDMENT No. 1 TO AMENDMENT No. 13.

Amend Amendment No. 13 by substituting therefor the following: "The selection or nomination of candidates for all elective public offices by political parties or groups of citizens shall be made by caucus or convention and not otherwise."

And the amendment to the amendment was lost.

Mr. Michal offered the following amendment to amendment and moved its adoption:

AMENDMENT No. 2 TO AMENDMENT No. 13.

Amend Amendment No. 13 by inserting after the word "parties" in the first line thereof, the words "or groups of citizens."

And the amendment to the amendment was lost.

The question recurring on the adoption of Amendment No. 13, a division of the Convention was had, resulting as follows: Yeas, 32; nays, 29.

And the amendment was adopted.

The question then being on the adoption of section 17, as amended, a call of the roll was had, resulting as follows: Yeas, 30; nays, 32.

Those voting in the affirmative are: Messrs.

Brandon	Chew	Hogan	McGuire	Paddock
Brenholt	Clarke	Hollenbeck	Meinert	Rinaker
Brewster	Fifer	Ireland	Mighell	Smith
Carey, A. J.	Fyke	Kerrick	Mills	Taff
Cary, C. D.	Gale	Lindly	Morris	Trautmann
Carlstrom	Green	McEwen	Nichols	Wilson

Yeas—30.

Those voting in the negative are: Messrs.

Barr	Dryer	Gray	Johnson, W. A.	Shanahan
Beckman	Dunlap	Hamill	Lill	Shuey
Catron	Dupuy, G. A.	Hull	Mack	Stahl
Corlett	Elting	Iarussi	Michal	Traeger
Cutting	Gee	Jack	Miller	Warren
Davis	Gilbert	Johnson, L. C.	Moore	Mr. President
De Young	Goodyear			

Nays—32.

Section 17, having received the votes of less than a majority of the Delegates elected, failed to pass.

Mr. Dunlap moved to reconsider the vote by which section 17 had failed to pass.

And the motion prevailed.

Thereupon Mr. Gale offered the following amendment and moved its adoption:

AMENDMENT No. 14.

Amend section 17 by inserting after the words "for public office," the words, "in political subdivisions larger than cities or villages."

And the amendment was lost.

Mr. Dunlap offered the following amendment and moved its adoption:

AMENDMENT No. 15.

Amend section 17 by striking out all the words after the word "equal."

And the amendment was adopted.

The question again being on the adoption of section 17, as amended, a call of the roll was had, resulting as follows: Yeas, 59; nays, 2.

Those voting in the affirmative are: Messrs.

Barr	Cutting	Gray	Lindly	Rinaker
Beckman	Davis	Green	Mack	Shanahan
Brandon	Dawes	Hamill	McEwen	Shuey
Brenholt	De Young	Hogan	McGuire	Smith
Brewster	Dryer	Hollenbeck	Michal	Stahl
Carey, A. J.	Dunlap	Hull	Mighell	Taff
Cary, C. D.	Dupuy, G. A.	Iarussi	Miller	Traeger
Carlstrom	Elting	Ireland	Mills	Trautmann
Catron	Fyke	Jack	Moore	Warren
Chew	Gee	Johnson, L. C.	Morris	Wilson
Clarke	Gilbert	Johnson, W. A.	Nichols	Mr. President
Corlett	Goodyear	Lill	Paddock	

Yeas—59.

Those voting in the negative are: Messrs.

Gale Meinert

Nays—2.

Section 17, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

At the hour of 6:30 o'clock p. m., Mr. Miller moved that the Convention do now take a recess until 8:00 o'clock p. m.

And the motion prevailed.

8:00 o'CLOCK P. M.

At the hour of 8:00 o'clock p. m., the Convention resumed its session.

The President presiding.

The pending question at the hour of taking a recess being the consideration of Report No. 9, of the Committee on Phraseology and Style, section 19 thereof was taken up and read at large.

Mr. Morris raised the point of no quorum and thereupon a call of the Convention was had, resulting as follows: Present, 53.

Those answering present were: Messrs.

Adams	De Young	Hogan	McEwen	Rinaker
Barr	Dryer	Hollenbeck	McGuire	Shanahan
Brandon	Dunlap	Hull	Meinert	Shuey
Brewster	Dupuy, G. A.	Ireland	Mighell	Smith
Carey, A. J.	Elting	Jack	Miller	Stahl
Cary, C. D.	Gale	Johnson, L. C.	Mills	Taff
Chew	Gilbert	Johnson, W. A.	Moore	Trautmann
Clarke	Goodyear	Kerrick	Morris	Warren
Corlett	Gray	Lill	Nichols	Wilson
Cutting	Green	Lindly	Paddock	Mr. President
Dawes	Hamill	Mack		

Present—53.

The President announced that a quorum of the Convention was present.

Mr. Brandon offered the following amendment and moved its adoption:

AMENDMENT No. 16.

Amend section 19 by adding thereto the following: "Nothing in this section shall prevent the General Assembly from passing laws prohibiting the inter-marriage of persons of different races."

And the amendment was adopted.

Mr. Michal offered the following as a substitute for section 19, as amended, as follows:

"Laws shall be applicable alike to all citizens, without discrimination, irrespective of race or color."

By unanimous consent, Mr. Michal withdrew his substitute and offered in lieu thereof the following amendment:

AMENDMENT No. 17.

Amend section 19 by striking out all words after the word "color" in line 3 and inserting a period thereafter.

And the amendment was adopted.

The question then being on the adoption of section 19, as amended, a call of the roll was had, resulting as follows: Yeas, 41; nays, 17.

Those voting in the affirmative are: Messrs.

Barr	De Young	Hogan	Lill	Morris
Brandon	Dunlap	Hollenbeck	Lindly	Nichols
Brenholt	Elting	Hull	Mack	Paddock
Carey, A. J.	Fyke	Iarussi	McGuire	Shanahan
Chew	Gale	Ireland	Michal	Shuey
Corlett	Gilbert	Johnson, L. C.	Mighell	Smith
Cutting	Gray	Johnson, W. A.	Miller	Sneed
Davis	Green	Kerrick	Mills	Wilson
Dawes				Yeas—41.

Those voting in the negative are: Messrs.

Adams	Carlstrom	Goodyear	Meinert	Taff
Beckman	Clarke	Hamill	Moore	Warren
Brewster	Dryer	Jack	Stahl	Mr. President
Cary, C. D.	Gee	McEwen		Nays—17.

Section 19, having received the votes of less than a majority of the delegates elected, failed to pass.

Mr. Hamill gave notice that on the next Convention day he would move to reconsider the vote by which section 19 had failed to pass.

Section 20 was taken up and read at large.

Pending roll call Mr. Rinaker moved that further consideration of section 20 be postponed.

And the motion prevailed.

Mr. Trautmann gave notice that on the next Convention day he would move to reconsider the vote by which section 8 of Report No. 9, was adopted.

At the hour of 10:10 o'clock p. m., Mr. Carlstrom moved that the Convention do now adjourn until 9:00 o'clock a. m., tomorrow.

The motion prevailed.

And the Convention stood adjourned.

THURSDAY, MARCH 9, 1921, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. A. W. Bartholomew, of the First Presbyterian Church, of Kansas.

The Journal of Tuesday, March 7th, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

Mr. Hamill called up his motion to reconsider the vote by which section 19, of Report No. 9, of the Committee on Phraseology and Style, had failed to pass, and moved that further consideration of the motion to reconsider be postponed.

And the motion prevailed.

The next order of business being the consideration of Report No. 7, of the Committee on Phraseology and Style, on the subject of Suffrage and Elections, section 1 thereof was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 56; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Green	Lindly	Scanlan
Barr	Dryer	Hamill	Mack	Shanahan
Beckman	Dunlap	Hogan	McGuire	Shuey
Brandon	Dupuy, G. A.	Hollenbeck	Meinert	Smith
Brenholt	Elting	Hull	Mighell	Stahl
Brewster	Fifer	Ireland	Mills	Taff
Cary, C. D.	Fyke	Jack	Moore	Trautmann
Carlstrom	Gale	Johnson, L. C.	Morris	Warren
Chew	Gee	Johnson, W. A.	Nichols	Wilson
Clarke	Gilbert	Kerrick	Paddock	Mr. President
Corlett	Goodyear	Lill	Rinaker	Yeas—56.
Cutting	Gray			Nays—0.

Section 1, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 2 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 56; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Green	Lindly	Scanlan
Barr	Dryer	Hamill	Mack	Shanahan
Beckman	Dunlap	Hogan	McGuire	Shuey
Brandon	Dupuy, G. A.	Hollenbeck	Meinert	Smith
Brenholt	Elting	Hull	Mighell	Stahl
Brewster	Fifer	Ireland	Mills	Taff
Cary, C. D.	Fyke	Jack	Moore	Trautmann
Carlstrom	Gale	Johnson, L. C.	Morris	Warren
Chew	Gee	Johnson, W. A.	Nichols	Wilson
Clarke	Gilbert	Kerrick	Paddock	Mr. President
Corlett	Goodyear	Lill	Rinaker	Yeas—56.
Cutting	Gray			Nays—0.

Section 2, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 3 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 56; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Green	Lindly	Scanlan
Barr	Dryer	Hamill	Mack	Shanahan
Beckman	Dunlap	Hogan	McGuire	Shuey
Brandon	Dupuy, G. A.	Hollenbeck	Meinert	Smith
Brenholt	Elting	Hull	Mighell	Stahl
Brewster	Fifer	Ireland	Mills	Taff
Cary, C. D.	Fyke	Jack	Moore	Trautmann
Carlstrom	Gale	Johnson, L. C.	Morris	Warren
Chew	Gee	Johnson, W. A.	Nichols	Wilson
Clarke	Gilbert	Kerrick	Paddock	Woodward
Corlett	Goodyear	Lill	Rinaker	Yeas—56.
Cutting	Gray			Nays—0.

Section 3, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 4 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 56; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Green	Lindly	Scanlan
Barr	Dryer	Hamill	Mack	Shanahan
Beckman	Dunlap	Hogan	McGuire	Shuey
Brandon	Dupuy, G. A.	Hollenbeck	Meinert	Smith
Brenholt	Elting	Hull	Mighell	Stahl
Brewster	Fifer	Ireland	Mills	Taff
Cary, C. D.	Fyke	Jack	Moore	Trautmann
Carlstrom	Gale	Johnson, L. C.	Morris	Wall
Chew	Gee	Johnson, W. A.	Nichols	Wilson
Clarke	Gilbert	Kerrick	Paddock	Mr. President
Corlett	Goodyear	Lill	Rinaker	Yeas—56.
Cutting	Gray			Nays—0.

Section 4, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 5 was taken up and read at large.

Whereupon Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend section 5 by striking out the words "and able to read and write the English language."

And the amendment was lost.

The question then being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 53; nays, 2.

Those voting in the affirmative are: Messrs.

Adams	Dryer	Green	Mack	Scanlan
Barr	Dunlap	Hogan	McGuire	Shanahan
Beckman	Dupuy, G. A.	Hollenbeck	Meinert	Shuey
Brenholt	Elting	Hull	Mighell	Smith
Brewster	Fifer	Ireland	Mills	Stahl
Cary, C. D.	Fyke	Jack	Moore	Taff
Carlstrom	Gale	Johnson, L. C.	Morris	Trautmann
Chew	Gee	Johnson, W. A.	Nichols	Warren
Clarke	Gilbert	Kerrick	Paddock	Wilson
Cutting	Goodyear	Lill	Rinaker	Mr. President
Dawes	Gray	Lindly		Yeas—53.

Those voting in the negative are: Messrs.

Brandon Corlett Nays—2.

Section 5, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Mr. Clarke moved that the consideration of sections 6 and 7 be postponed.

And the motion prevailed.

Section 8 was taken up and read at large.

Whereupon Mr. Kerrick moved that consideration be postponed.

The question being on the motion to postpone, a division of the Convention was had, resulting as follows: Yeas, 27; nays, 22.

And the motion prevailed.

Section 9 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 58; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Gray	Lindly	Shanahan
Barr	Dawes	Green	Mack	Shuey
Beckman	Dryer	Hamill	McGuire	Smith
Brandon	Dunlap	Hogan	Meinert	Sneed
Brenholt	Dupuy, G. A.	Hollenbeck	Mighell	Stahl
Brewster	Elting	Hull	Mills	Taff
Cary, C. D.	Fifer	Ireland	Moore	Trautmann
Carlstrom	Fyke	Jack	Morris	Warren
Catron	Gale	Johnson, L. C.	Nichols	Wilson
Chew	Gee	Johnson, W. A.	Paddock	Mr. President
Clarke	Gilbert	Kerrick	Rinaker	Yeas—58.
Corlett	Goodyear	Lill	Scanlan	Nays—0.

Section 9, having received the votes of a majority of the delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

The Convention proceeding upon the consideration of Report No. 12, of the Committee on Pharseology and Style, on the subject of Legislative Department, section 1 thereof was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 57; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Green	Mack	Shanahan
Barr	Dryer	Hamill	McGuire	Shuey
Beckman	Dunlap	Hogan	Meinert	Smith
Brandon	Dupuy, G. A.	Hollenbeck	Mighell	Sneed
Brenholt	Elting	Hull	Mills	Stahl
Brewster	Fifer	Ireland	Moore	Taff
Cary, C. D.	Fyke	Jack	Morris	Trautmann
Carlstrom	Gale	Johnson, L. C.	Nichols	Warren
Catron	Gee	Johnson, W. A.	Paddock	Wilson
Clarke	Gilbert	Kerrick	Rinaker	Mr. President
Corlett	Goodyear	Lill	Scanlan	Yeas—57.
Cutting	Gray	Lindly		Nays—0.

Section 1, having received the votes of a majority of the delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 2 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 58; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Gray	Lindly	Shanahan
Barr	Dawes	Green	Mack	Shuey
Beckman	Dryer	Hamill	McGuire	Smith
Brandon	Dunlap	Hogan	Meinert	Sneed
Brenholt	Dupuy, G. A.	Hollenbeck	Mighell	Stahl
Brewster	Elting	Hull	Mills	Taff
Cary, C. D.	Fifer	Ireland	Moore	Trautmann
Carlstrom	Fyke	Jack	Morris	Warren
Catron	Gale	Johnson, L. C.	Nichols	Wilson
Chew	Gee	Johnson, W. A.	Paddock	Mr. President
Clarke	Gilbert	Kerrick	Rinaker	Yeas—58.
Corlett	Goodyear	Lill	Scanlan	Nays—0.

Section 2, having received the votes of a majority of the delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 3 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 58; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Gray	Lindly	Shanahan
Barr	Dawes	Green	Mack	Shuey
Beckman	Dryer	Hamill	McGuire	Smith
Brandon	Dunlap	Hogan	Meinert	Sneed
Brenholt	Dupuy, G. A.	Hollenbeck	Mighell	Stahl
Brewster	Elting	Hull	Mills	Taff
Cary, C. D.	Fifer	Ireland	Moore	Trautmann
Carlstrom	Fyke	Jack	Morris	Warren
Catron	Gale	Johnson, L. C.	Nichols	Wilson
Chew	Gee	Johnson, W. A.	Paddock	Mr. President
Clarke	Gilbert	Kerrick	Rinaker	Yeas—58.
Corlett	Goodyear	Lill	Scanlan	Nays—0.

Section 3, having received the votes of a majority of the delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 4 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 58; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Gray	Lindly	Shanahan
Barr	Dawes	Green	Mack	Shuey
Beckman	Dryer	Hamill	McGuire	Smith
Brandon	Dunlap	Hogan	Meinert	Sneed
Brenholt	Dupuy, G. A.	Hollenbeck	Mighell	Stahl
Brewster	Elting	Hull	Mills	Taff
Cary, C. D.	Fifer	Ireland	Moore	Trautmann
Carlstrom	Fyke	Jack	Morris	Warren
Catron	Gale	Johnson, L. C.	Nichols	Wilson
Chew	Gee	Johnson, W. A.	Paddock	Mr. President
Clarke	Gilbert	Kerrick	Rinaker	Yeas—58.
Corlett	Goodyear	Lill	Scanlan	Nays—0.

Section 4, having received the votes of a majority of the delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 5 was taken up and read at large.

Whereupon Mr. Clarke moved that the report of the Committee of the Whole, on section 5, be substituted for section 5 of the report of the Committee on Phraseology and Style.

And the question being on the adoption of the substitute it was decided in the affirmative.

Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend section 5, as amended, by striking out the word "to" after the word "bribe," in line 16, and inserting the word "to" after the word "indirectly" in next line.

And the amendment was adopted.

The question then being on the adoption of section 5, as amended, a call of the roll was had, resulting as follows: Yeas, 58; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Gray	Lindly	Shanahan
Barr	Dawes	Green	Mack	Shuey
Beckman	Dryer	Hamill	McGuire	Smith
Brandon	Dunlap	Hogan	Meinert	Sneed
Brenholt	Dupuy, G. A.	Hollenbeck	Mighell	Stahl
Brewster	Elting	Hull	Mills	Taff
Cary, C. D.	Fifer	Ireland	Moore	Trautmann
Carlstrom	Fyke	Jack	Morris	Warren
Catron	Gale	Johnson, L. C.	Nichols	Wilson
Chew	Gee	Johnson, W. A.	Paddock	Mr. President
Clarke	Gilbert	Kerrick	Rinaker	Yeas—58.
Corlett	Goodyear	Lill	Scanlan	Nays—0.

Section 5, having received the votes of a majority of the delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

By unanimous consent consideration of section 8 was postponed.

Section 9 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 58; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Gray	Lindly	Shanahan
Barr	Dawes	Green	Mack	Shuey
Beckman	Dryer	Hamill	McGuire	Sneed
Brandon	Dunlap	Hogan	Meinert	Smith
Brenholt	Dupuy, G. A.	Hollenbeck	Mighell	Stahl
Brewster	Elting	Hull	Mills	Taff
Cary, C. D.	Fifer	Ireland	Moore	Trautmann
Carlstrom	Fyke	Jack	Morris	Warren
Catron	Gale	Johnson, L. C.	Nichols	Wilson
Chew	Gee	Johnson, W. A.	Paddock	Mr. President
Clarke	Gilbert	Kerrick	Rinaker	Yeas—58.
Corlett	Goodyear	Lill	Scanlan	Nays—0.

Section 9, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Pharesology and Style for action as provided by Rule 20.

Section 10 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 58; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Gray	Lindly	Shanahan
Barr	Dawes	Green	Mack	Shuey
Beckman	Dryer	Hamill	McGuire	Smith
Brandon	Dunlap	Hogan	Meinert	Sneed
Brenholt	Dupuy, G. A.	Hollenbeck	Mighell	Stahl
Brewster	Elting	Hull	Mills	Taff
Cary, C. D.	Fifer	Ireland	Moore	Trautmann
Carlstrom	Fyke	Jack	Morris	Warren
Catron	Gale	Johnson, L. C.	Nichols	Wilson
Chew	Gee	Johnson, W. A.	Paddock	Mr. President
Clarke	Gilbert	Kerrick	Rinaker	Yeas—58
Corlett	Goodyear	Lill	Scanlan	Nays—0.

Section 10, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 11 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 58; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Gray	Lindly	Shanahan
Barr	Dawes	Green	Mack	Shuey
Beckman	Dryer	Hamill	McGuire	Smith
Brandon	Dunlap	Hogan	Meinert	Sneed
Brenholt	Dupuy, G. A.	Hollenbeck	Mighell	Stahl
Brewster	Elting	Hull	Mills	Taff
Cary, C. D.	Fifer	Ireland	Moore	Trautmann
Carlstrom	Fyke	Jack	Morris	Warren
Catron	Gale	Johnson, L. C.	Nichols	Wilson
Chew	Gee	Johnson, W. A.	Paddock	Mr. President
Clarke	Gilbert	Kerrick	Rinaker	Yeas—58.
Corlett	Goodyear	Lill	Scanlan	Nays—0.

Section 11, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 12 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 58; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Gray	Lindly	Shanahan
Barr	Dawes	Green	Mack	Shuey
Beckman	Dryer	Hamill	McGuire	Smith
Brandon	Dunlap	Hogan	Meinert	Sneed
Brenholt	Dupuy, G. A.	Hollenbeck	Mighell	Stahl
Brewster	Elting	Hull	Mills	Taff
Cary, C. D.	Fifer	Ireland	Moore	Trautmann
Carlstrom	Fyke	Jack	Morris	Warren
Catron	Gale	Johnson, L. C.	Nichols	Wilson
Chew	Gee	Johnson, W. A.	Paddock	Mr. President
Clarke	Gilbert	Kerrick	Rinaker	Yeas—58.
Corlett	Goodyear	Lill	Scanlan	Nays—0.

Section 12, having received the votes of a majority of the delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

By unanimous consent consideration of section 13 was postponed.

Section 14 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 58; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Gray	Lindly	Shanahan
Barr	Dawes	Green	Mack	Shuey
Beckman	Dryer	Hamill	McGuire	Smith
Brandon	Dunlap	Hogan	Meinert	Sneed
Brenholt	Dupuy, G. A.	Hollenbeck	Mighell	Stahl
Brewster	Elting	Hull	Mills	Taff
Cary, C. D.	Fifer	Ireland	Moore	Trautmann
Carlstrom	Fyke	Jack	Morris	Warren
Catron	Gale	Johnson, L. C.	Nichols	Wilson
Chew	Gee	Johnson, W. A.	Paddock	Mr. President
Clarke	Gilbert	Kerrick	Rinaker	Yeas—58.
Corlett	Goodyear	Lill	Scanlan	Nays—0.

Section 14, having received the votes of a majority of the delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 15 was taken up and read at large.

Whereupon Mr. Clarke offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend section 15 by inserting after the word "receive" the words "or hold"; also by inserting after the word "any" the word "lucrative"; also by striking out the words "from the Governor," and inserting in lieu thereof the words "in this State." So that the section will read:

"Section 15. No person elected to the General Assembly shall receive or hold any lucrative civil appointment in this State during the term for which he is elected."

And the amendment was adopted.

The question then being on the adoption of section 15, as amended, a call of the roll was had, resulting as follows: Yeas, 58; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Gray	Lindly	Shanahan
Barr	Dawes	Green	Mack	Shuey
Beckman	Dryer	Hamill	McGuire	Smith
Brandon	Dunlap	Hogan	Meinert	Sneed
Brenholt	Dupuy, G. A.	Hollenbeck	Mighell	Stahl
Brewster	Elting	Hull	Mills	Taff
Cary, C. D.	Fifer	Ireland	Moore	Trautmann
Carlstrom	Fyke	Jack	Morris	Warren
Catron	Gale	Johnson, L. C.	Nichols	Wilson
Chew	Gee	Johnson, W. A.	Paddock	Mr. President
Clarke	Gilbert	Kerrick	Rinaker	Yeas—58.
Corlett	Goodyear	Lill	Scanlan	Nays—0.

Section 15, having received the votes of a majority of the delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 23 was taken up and read at large.

Whereupon Mr. Shanahan offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend section 23 by substituting therefor Article IV of the Constitution of 1870, as follows:

"The General Assembly shall have no power to release or extinguish, in whole or in part, the indebtedness, liability, or obligation of any corporation or individual to this State or to any municipal corporation therein."

And the amendment was adopted.

Pending roll call Mr. Green moved that further consideration of section 23 be postponed.

And the motion prevailed.

Section 24 was taken up and read at large.

Pending roll call Mr. Shanahan moved that further consideration of section 24 be postponed.

And the motion prevailed.

Mr. Trautmann, in accordance with his notice of yesterday, moved to reconsider the vote by which section 8, of Report No. 9, of the Committee on Phraseology and Style, was adopted, and that further consideration of the motion to reconsider be postponed.

And the motion prevailed.

The Convention proceeding on the order of reports of Standing Committees, Mr. Clarke submitted the following report:

Report No. 8.

YOUR COMMITTEE ON PHRASEOLOGY AND STYLE, TO WHICH WAS REFERRED A PROPOSAL ENTITLED CHICAGO AND COOK COUNTY (INTRODUCTION NO. 385, REFERENCE NO. 17), AS AMENDED IN COMMITTEE OF THE WHOLE, RESPECTFULLY REPORTS THAT IT HAS CONSIDERED SUCH PROPOSAL, AND HEREWITH SETS FORTH IN PARALLEL COLUMNS ARTICLE I OF SAID PROPOSAL AS ADOPTED IN COMMITTEE OF THE WHOLE ON THE LEFT, AND A SUBSTITUTE THEREFOR AS RECOMMENDED BY THIS COMMITTEE ON THE RIGHT.

RESOLVED, *That the following shall become a part of the Constitution of Illinois:*

Section 1. Except as expressly limited by law the City of Chicago is hereby granted and declared to possess full and complete powers of local self-government and corporate action for all municipal purposes. The city may assess and collect taxes and borrow money for corporate purposes only as authorized by law.

Section 1. Except as expressly prohibited by law, the City of Chicago is hereby declared to possess, for all municipal purposes, full and complete power of local self-government and corporate action. This grant of power shall be liberally construed and no power shall be denied the city by reason of not being specified in any present or future law. The city, however, may impose taxes and borrow money only as authorized by law.

Until otherwise provided by the city charter, the powers heretofore granted the city shall be preserved and exercised in accordance with law and the additional powers granted by this article shall be exercised by, or in accordance with city ordinances.

Section 2. Charter Convention. The legislative authority of the City of Chicago may provide for the calling of an elective convention to frame a city charter, or to amend any existing charter, and the power hereby granted shall be a continuing power. The question whether a Convention shall be called shall be submitted at an election held prior to the election for delegates. The charter framed by the Convention and all amendments thereof, proposed as provided therein, shall be submitted to and adopted by the voters of the city in the manner provided by the Convention. The election laws of the State and the powers and duties existing thereunder may, by the legislative authority of the city, or by the Convention, be made available

Section 2. The legislative authority of the City of Chicago, from time to time, and after approval of the proposition at an election in such manner as it may provide, may call an elective convention to frame a new city charter or to revise or amend any existing charter. The proposals of any such convention shall be submitted to the voters for adoption in the manner provided by it. Subsequent amendments may also be proposed and submitted to the voters in such manner as the charter may provide. State election laws and the powers and duties existing thereunder shall be available for the purposes of this section.

The charter so framed, revised or amended and ordinances passed

for the purpose of the charter. The General Assembly may enact further election laws in aid of this section.

Provisions of the charter, or of amendments of or additions to the charter, or ordinances passed in pursuance thereof, which relate to the organization of the government of the city, to the distribution of powers among its official agencies or to the tenure and compensation of its officials shall prevail over the statutes of the State in conflict therewith. In other matters the charter or ordinances passed thereunder shall conform to the State law.

A certified copy of said charter or any amendment thereto shall be filed with the Secretary of State within thirty days after its adoption by referendum vote and shall not take effect until so filed.

Rates of compensation, as well as conditions of appointment and promotion in the civil service of the city shall be determined according to a general plan, which shall recognize merit and fitness as controlling principles.

thereunder shall prevail over State laws so far as the organization of the City Government, the distribution of powers among its official agencies, and the tenure and compensation of its officers and employees are concerned.

Rates of compensation as well as conditions of appointment and promotion in the classified civil service of the city shall be determined according to a general plan which shall recognize merit and fitness as controlling principles.

Section 3. Eminent Domain. The City of Chicago shall have power to condemn private property (including public utilities and the privileges or licenses held in connection therewith) for public use in accordance with law. The power to condemn property lying outside of the corporate limits shall be determined by law.

Section 3. In the exercise of the power of eminent domain by the City of Chicago, public utilities and their privileges and licenses shall be deemed private property.

Section 4. Public Utilities. The power of the city to own, acquire, construct, operate or let or lease for operation public utilities, or to sell the same or the product or service thereof, shall not be denied by law, but may be reasonably regulated by general law.

Section 4. The City of Chicago, subject to reasonable regulation by general law, may own, acquire, construct, operate, sell, pledge, lease or let public utilities, or buy or sell the service thereof.

Section 5. The city shall be authorized to join with any other municipality, in such manner as may be provided by law, for the joint construction of local improvements, public utilities or other local services.

Section 5. (Omitted. Taken care of by amendment to Section 11, of Revenue Article.)

Section 6. Special Legislation and Local Consent. The General Assembly may enact local or special laws relating to the governmental affairs

Section 6. Laws affecting the municipal affairs of the City of Chicago only may be passed but shall not take effect until the city consents

of the City of Chicago, but such laws shall not become effective until consented to by the city. A law which at the time of its enactment is applicable to the governmental affairs of no other city than the City of Chicago shall be deemed a local or special law.

Section 7. The consent of the city shall also be required for the creation or for the enlargement of any municipal corporation (other than a county) exercising taxing powers in any part of the City of Chicago or for the increase of the taxing powers of any such municipal corporation hereafter created or enlarged.

Section 8. The consent of the city, whenever required by this Constitution, shall be expressed by ordinance, and the General Assembly, the city council or the charter may, in addition, require the submission of the proposition to the voters of the city. Any ordinance consenting to the creation, enlargement or consolidation of taxing bodies as provided in this article shall not take effect until ninety days after its enactment, and if within that period either one-third of the members of the legislative authority of the city or five thousand voters demand its submission to popular vote, it shall not take effect until submitted to the voters in accordance with law and approved by a majority of those voting upon the question.

Section 9. Consolidation. Municipalities Wholly Within the City and Overlapping Townships. The charter framed by an elective convention as herein authorized, may provide for the consolidation (in whole or in part) with the City of Chicago, of any or all of the municipal corporations and local governments, boards or authorities exercising taxing powers or any powers of government confined to the territory now or here-

Section 8. The consent of the City of Chicago shall be required for the creation or enlargement of any municipal corporation (except a county) exercising taxing powers within the city or for any increase of the taxing powers of any such municipal corporation hereafter created or enlarged. No ordinance expressing such consent shall take effect until ninety days after its enactment, and if within that time either 5,000 voters or one-third of the legislative authority of the city petition that body to submit the question at an election the ordinance shall not take effect until approved by a majority of those voting on the question.

Section 7. The consent of the city whenever required by this article shall be expressed by ordinance, but the General Assembly, the city charter or the ordinance may prescribe in addition approval by the voters.

Sections 9, 10 and 11. Any convention called under Section 2 of this article or any charter framed, revised or amended under that section, may provide:

(a) For the consolidation with the City of Chicago of any or all local governments or other authorities (in whole or in part) now or hereafter exercising powers confined to the city limits; and also that part of any township

after embraced within the limits of the City of Chicago. The charter so framed may also provide that where any township embraces territory partly within and partly without the present or future limits of the city, the part within the city shall be detached from such township and consolidated with the city. Any municipal corporation, local government, board or authority consolidated with the city shall be abolished and the city shall assume all the debts and liabilities and succeed to all the rights and property thereof. In case township government shall be consolidated with the city, the powers of township officers, insofar as they relate to the collection of taxes, shall be exercised by the county treasurer, until otherwise provided by law.

(partly within and partly without the city) now or hereafter lying within the city limits. No such consolidation shall take effect until the question is approved by the voters of the city in the manner provided by the Convention or by the charter. After consolidation with the city of any township (or part thereof) the powers of all officers therein relating to collection of taxes shall be exercised by the county treasurer until otherwise provided by law.

(b) For the consolidation with the City of Chicago of the Sanitary District of Chicago and the Forest Preserve District of Cook County, or either of them. No consolidation of either of said districts shall take effect until approved at an election by a majority of those voting on the question both in the district and in the city. The question of consolidation of either district shall be submitted to the voters thereof as a separate proposition, and the election officials responsible for conducting elections therein shall submit the question in the manner provided by the Convention or by the charter. The city shall exercise no taxing power outside its limits by virtue of consolidating either district. Upon consolidation of the Sanitary District with the City of Chicago, and until otherwise provided by law, the city shall furnish without charge sewage disposal or other service beyond its limits in the district, to the extent then furnished by the district; and the city may be required by law to furnish for a reasonable charge increased sewage disposal service in such territory.

Any local government or body consolidated with the City of Chicago under this section shall be abolished and the city shall succeed to all the powers, property and liabilities thereof. If any consolidation proposed under this section fails to be approved at any election, the question may be resubmitted from time to time in the manner provided by the charter.

Section 10. Consolidation of Sanitary District and of Forest Preserve District. The charter may also provide for the consolidation of the government of the sanitary district of Chicago and of the forest preserve district of Cook county, or of either, with the government of the City of Chicago. Such consolidation shall, as regards each of said districts, be submitted as a separate proposition to the voters of the entire district and shall not become effective unless the vote in its favor shall be cast by a majority of the voters of the district as well as by a majority of the city, voting upon the question. The charter shall prescribe the manner and fix the time of submitting such proposition to a vote. If such proposition shall fail to be approved at any election, it may thereafter be resubmitted from time to time in such manner as the charter may prescribe. It shall be the duty of all election officials responsible for conducting elections within either of said districts or any part thereof, to submit such proposition to the voters thereof in accordance with the provisions of the charter.

Upon such consolidation becoming effective, the title to and the control and management of all the property then held by the district thus consolidated shall be vested in the city, and the city shall have all powers and assume all debts and liabilities of the district, but shall exercise no taxing powers over territory outside of the city limits by virtue of such consolidation.

The word "charter," as used in this section and the preceding section, shall be construed to include any amendment thereof and the power of consolidation hereby granted shall be deemed to be a continuing power.

Section 11. After consolidation of the sanitary district and until otherwise provided by law, the city shall continue to furnish to the inhabitants of the territory within the district as constituted at the time of the consolidation, but lying beyond the present or future limits of the city, without cost or expense to them or to the municipalities within such territory, sewage disposal service to the extent furnished to them by the district at that time. The General Assembly shall have no

power to enlarge the obligation thereby assumed by the city except to require the city to furnish to the inhabitants of the municipalities in such territory, or any part thereof, at their own cost and expense additional or increased service for sewage disposal purposes. All duties or obligations imposed by law at the time of such consolidation for the benefit of the inhabitants of such territory, or any part thereof, upon the city or sanitary district with respect to other forms of service shall be assumed by the city unless it shall be relieved therefrom by the General Assembly.

Section 12. Tax Rate After Consolidation. After consolidation in whole or in part, and until a new tax rate shall have been established by law, the city may levy, in addition to the annual general tax on the property then authorized to be levied, an annual tax equal to the amount of the taxes caused to be extended upon the collector's warrants in the year last preceding the consolidation by the taxing authorities so consolidated with the city.

Section 13. Park Consolidation Act Preserved. The foregoing provisions concerning consolidation shall not affect the right of the city, acting through the city council, or otherwise, to avail itself of the provisions of an Act entitled 'An Act to consolidate in the government of the City of Chicago the powers and functions now vested in local governments and authorities within the territory of said city and to make provision concerning the same," approved June 29th, 1915, or any amendment thereof.

Section 14. Legislative Consolidation. The General Assembly may provide additional or alternative methods for the consolidation of local governments with the City of Chicago, subject to the consent of the city.

Section 15. Debt Limit After Consolidation. The City of Chicago, in the event of any one or more of the municipal corporations lying wholly or partly within said city becoming consolidated therewith, and in the

Section 12. After any consolidation authorized by the foregoing section has taken effect, and until a new tax rate is fixed by law, the City of Chicago may levy an additional annual tax equal to the amount of taxes caused to be extended by the authority so consolidated upon the collector's warrants in the year last preceding consolidation.

Section 13. The rights of the City of Chicago under the Act for the Consolidation of Local Governments, approved June 29, 1915, or any amendment thereof, are not affected by this article.

Section 14. The General Assembly may provide other methods for consolidating local authorities with the City of Chicago, subject to its consent.

Section 15. After any consolidation authorized by this article has taken effect, the City of Chicago may become indebted in the aggregate up to 5 per cent of the full value of the taxable property therein as

event of said city becoming liable for the indebtedness of any such municipal corporations, may become indebted to an amount (including its existing indebtedness and the indebtedness of all municipal corporations lying wholly within the limits of said city, and said city's proportionate share of the indebtedness of the County of Cook, the Forest Preserve District of Cook County, and the Sanitary District of Chicago) in the aggregate not exceeding 5 per centum of the full value of the taxable property within its limits as ascertained by the last assessment for State and county taxes previous to the incurring of such indebtedness, but no new bonded indebtedness (other than for refunding purposes) shall be incurred until the proposition therefor shall be consented to by a majority of the legal voters of said city voting upon the question. The city's proportionate share of the indebtedness of the County of Cook and of other municipal corporations herein named shall bear the same ratio of the entire indebtedness thereof as the value of the taxable property of such municipal corporations within the city bears to the value of the entire taxable property of such municipal corporations as ascertained by the last assessment for State and county purposes.

ascertained by the last assessment for State and county taxes previous to incurring the debt. In computing such aggregate amount there shall be included the existing indebtedness of the city, and of all municipal corporations within the city, and also the city's proportionate share (determined according to valuation of taxable property) of the existing indebtedness of all municipal corporations partly within and partly without the city.

SUGGESTIONED AS A SUBSTITUTE FOR SECTION 15.

The City of Chicago may become indebted in the aggregate up to 5 per cent of the full value of the taxable property therein as ascertained by the last assessment for State and county taxes previous to incurring the debt. In computing such aggregate amount there shall be included in the indebtedness of the city, the then existing indebtedness of all municipal corporations within the city, and the city's proportionate share (determined according to valuation of taxable property) of the then existing indebtedness of all municipal corporations (except the County of Cook) partly within and partly without the city. No municipal corporation wholly or partly within the city (except the County of Cook) shall hereafter have its indebtedness increased without the city's consent.

Section 15½. The City of Chicago shall incur no new bonded indebtedness (except for refunding purposes) without the approval at an election of a majority of those voting on the question.

Section 16. No municipal corporation hereafter created within the County of Cook having territory covering the territory of the City of Chicago or any part thereof shall be allowed to become indebted otherwise than to the extent of its current annual revenues.

Section 16. No municipal corporation hereafter created covering any part of the territory of the City of Chicago shall become indebted beyond the amount of its current annual revenues.

Section 17. Subject to sections 8, 9, 10, 11 and 12 of the revenue article, the General Assembly shall have power to permit the City of Chicago after the consolidation with said city

Section 17. After consolidation with the City of Chicago of all local authorities (other than the County of Cook) lying wholly or partly within the city, the General Assem-

of all of the municipal corporations lying wholly or partly within said city, to become indebted to an amount to be fixed by it in the aggregate exceeding the limit prescribed by this Constitution, but such action of the General Assembly shall not become effective until approved by an ordinance of the legislative authority of the city agreed to by two-thirds vote of its full membership and by a favorable vote of three-fifths of the voters of the city voting upon the question.

Such an ordinance shall not be adopted oftener than once in ten years and the maximum limit of indebtedness, when so extended, shall never exceed 10 per cent of the full value of the taxable property within the corporate limits of the City of Chicago as ascertained by the last assessment for State and county taxes.

Such an ordinance if rejected shall not be resubmitted within two years from the date of such original submission.

The limit of special indebtedness made possible under sections 9, 10 and 11 of the revenue article shall in no case be increased under the provisions of this section.

bly may authorize the city to become indebted, in addition to the debt limit prescribed elsewhere in this Constitution, up to 10 per cent of the full value of all taxable property in the city as ascertained by the last assessment for State and county taxes. Any increase of the debt limit authorized by this section shall further require an ordinance passed by two-thirds of those elected to the Legislative Authority of the City and approved at an election by three-fifths of those voting on the question. No such increase shall be authorized oftener than once in ten years and the approving ordinance if rejected at the election shall not be resubmitted within two years.

Respectfully submitted,

ELMER L. CLARKE, *Chairman*,
THOS. RINAKER,
CHARLES B. T. MOORE,
GEORGE A. BARR,
EDWARD H. BREWSTER.

MEMORANDUM FROM COMMITTEE ACCOMPANYING REPORT.

Your committee, under date of September 6, 1921, submitted a report on this article, but under date of January 3, 1922, that report was recommitted by the Convention to this committee. Your committee has again carefully studied and revised the proposal as adopted in Committee of the Whole and herewith submits a revision of the article which has been worked out with the assistance and co-operation of the chairman of the Committee on Chicago and Cook County and which has his approval.

At the suggestion of the chairman of the Committee on Chicago and Cook County there is submitted herewith an alternative suggestion for section 15. This alternative suggestion contains certain substantive

changes made necessary by what seem to be substantial objections to the section in its present form. This section is largely taken from section 34 of Article IV of the Constitution of 1870, but certain changes were made by the Committee of the Whole in the provision as found in the present Constitution. For example, in the draft of the Committee of the Whole the provisions of the section come into operation after *one* consolidation has taken effect, while in the present Constitution the section does not come into effect until *two* consolidations have taken effect.

The real purposes of this section, when it is analyzed, seem to be three-fold. (1) It is intended to give the City of Chicago (after one consolidation has been effected) a debt limit based on 5 per cent of the *full* value of the taxable property therein as contrasted with the debt limit for other municipal corporations fixed by the Revenue Article at 5 per cent of the *assessed* value. In other words, when the section comes into effect—and as long as under the law the assessed value of property is fixed at one-half the full value—the City of Chicago would have twice the debt limit which it would have under the Revenue Article. (2) The section, however, is intended to prevent "overlapping" of municipal corporations in such a way as to eventually make the actual debt limit of the territory within the City of Chicago considerably above 5 per cent of the full value of the taxable property therein. (3) The section is intended to hasten and encourage the consolidation of the various taxing bodies now found within the city by making the increased debt limit conditional upon the consolidation of one or more of such bodies.

An analysis of the section as it is found in the present Constitution —and as it is found in the draft of the Committee of the Whole—will show that these purposes are not secured to the extent desired. In the first place, the City of Chicago has not succeeded in consolidating any of the local governments intended to be consolidated, and in fact has not attempted to consolidate any of them, although the present provision has been in the Constitution since 1904. In the second place, under the present Constitution, and under the draft of the Committee of the Whole, it is possible for the indebtedness of the territory within the City of Chicago to be raised to an aggregate which is very much in excess of 5 per cent of the full value of the taxable property therein. This is due to the fact that by "overlapping" of the Sanitary District, the Forest Preserve District and various smaller municipal corporations, each with a debt limit under the Constitution up to 5 per cent of the assessed value, there may be accumulated an aggregate debt for the territory within the city, (it has been estimated) of 25 per cent of the full value of the taxable property within the city limits. Of course legislative action would be required before that result could be accomplished, but it should be remembered that the purpose of this section is after all a limitation on the General Assembly. For these and other reasons this section should be carefully reconsidered.

Your committee has made no substantive changes in any part of the article; the purpose of your committee being simply to shorten and clarify the language used. Attention should be called to the fact that in section 4 your committee has inserted the word "pledge," because it

was the understanding of your committee that the Convention intended to give full power to the City of Chicago over the public utilities in question, including the power to mortgage such property. If this is not the intention of the Convention the word "pledge" should be stricken out.

The report of the committee was ordered printed and the proposal placed on the order of second reading.

At the hour of 11:45 o'clock a. m., Mr. Green moved that the Convention do now adjourn until Tuesday, March 14, 1922, at 10:00 o'clock a. m.

The motion prevailed.

And the Convention stood adjourned.

TUESDAY, MARCH 14, 1922, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. J. Brainard Brown, of the First Baptist Church, of Petersburg.

The Journal of Wednesday, March 8th, having been printed and placed on the desks of the delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

At the hour of 10:55 o'clock a. m., Mr. Hamill moved that the Convention do now take a recess until 2:00 o'clock p. m.

And the motion prevailed.

2:00 o'Clock P. M.

The hour of 2:00 o'clock p. m. having arrived, the Convention resumed its session.

The President presiding.

At the hour of 2:15 o'clock p. m., Mr. Lindley moved that the Convention do now adjourn until Tuesday, April 18, 1922, at 10:00 o'clock a. m.

The motion prevailed.

And the Convention stood adjourned.

TUESDAY, APRIL 18, 1922, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

Mr. Trautmann, President *pro tem.,* presiding.

The Journal of Thursday, March 9, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and, no corrections appearing, was ordered to stand approved.

Mr. Fyke announced the death of Colonel J. Mack Tanner, of Flora, Illinois, Delegate from the Forty-second District, and on his motion the following committee of fifteen Delegates was appointed to attend the funeral: Messrs. Fyke, Paddock, Catron, Fifer, Moore, Mills, Lindly, Trautmann, Barr, Dunlap, Gilbert, Hollenbeck, Sneed, Wall and Carlstrom.

At the hour of 10:15 o'clock a. m., Mr. Paddock moved that the Convention do now adjourn until Tuesday, April 25, 1922, at 10:00 o'clock a. m.

The motion prevailed.

And the Convention stood adjourned.

TUESDAY, APRIL 25, 1922, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. J. C. Brown, of the First Methodist Episcopal Church, of Rushville.

The Journal of Tuesday, April 14th, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing was ordered to stand approved.

At the hour of 10:50 o'clock a. m. Mr. Hamill moved that the Convention do now take a recess until 3:00 o'clock p. m.

Pending consideration Mr. Dunlap asked that a call of the Convention be had to ascertain if a quorum was present, which resulted as follows: Present, 49.

Those answering present were: Messrs.

Adams	Dietz	Hogan	Meinert	Smith
Barr	Dunlap	Hull	Mighell	Sutherland
Brenholt	Dupuy, G. A.	Iarussi	Miller	Taff
Brewster	Elting	Ireland	Mills	Torrance
Catron	Fyke	Jack	Moore	Traeger
Clarke	Gale	Jaiman	Paddock	Trautmann
Corlett	Gilbert	Johnson, L. C.	Pinnell	Wall
Cutting	Goodyear	Kunde	Rinaker	Wilson
Davis	Gray	Lindly	Shanahan	Mr. President
Dawes	Hamill	McGuire	Shuey	Present—49.

The President announced that less than a quorum of the Convention was present.

The question then being on the motion to take a recess it was decided in the affirmative.

3:00 o'Clock P. M.

The hour of 3:00 o'clock p. m. having arrived the Convention resumed its session.

The President presiding.

Mr. Hamill offered the following resolution and moved its adoption:

Resolution No. 37.

Resolved, That this Convention shall remain in daily session, Sunday excepted, to and including the 6th day of May, or until all proposals on second reading are sooner disposed of.

Second—That there be a roll call at the opening of the morning session each day.

Third—That to each delegate shown absent by the roll call on this resolution for whom insufficient or no excuses have been made, the Sergeant-at-Arms be instructed to send the following telegram:

"I am instructed by the Constitutional Convention to advise you that the Convention is now in session and will continue in session except for

Sunday through May 6th and your presence is required. Please wire me when you will arrive."

Fourth—That the President be and is hereby authorized to enforce the attendance of all delegates shown by any roll call to be absent and for whom insufficient or no excuses are made and to that end may issue his writs and order the absent delegates to be taken into custody by the Sergeant-at-Arms.

The question being on the adoption of the resolution, a call of the roll was had, resulting as follows: Yeas, 52; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Hogan	Mighell	Stahl
Barr	Dietz	Hollenbeck	Miller	Sutherland
Brenholt	Dunlap	Hull	Mills	Taff
Brewster	Dupuy, G. A.	Iarussi	Mocre	Torrance
Cary, C. D.	Elting	Ireland	Paddock	Traeger
Catron	Fyke	Jack	Pinnell	Trautmann
Clarke	Gale	Jarman	Rinaker	Wall
Coolley	Gilbert	Kunde	Shanahan	Wilson
Corlett	Goodyear	Lindly	Shuey	Mr. President
Cutting	Gray	McGuire	Smith	Yeas—52.
Davis	Hamill	Meinert		Nays—0.

And the resolution was adopted.

The Convention proceeding upon the further consideration of Report No. 12, of the Committee on Phraseology and Style, on the subject of Legislative Department, section 13 thereof was again taken up.

Whereupon Mr. Clarke offered the following as a substitute for section 13 and moved its adoption:

Section 13. Every bill shall be read by title on three different days in each House, but the rules of either House may provide for the reading of bills at greater length on second or third reading. The bill and all amendments thereto (except any amendment striking out the emergency clause) shall be printed before final passage. When passed by both Houses the bill shall be signed by the presiding officers and the fact of signing, together with the fact of printing and of presentation to the Governor and the date of such presentation, shall be entered upon the Journals. No act hereafter passed shall embrace more than one subject and that shall be expressed in the title; but any act embracing a subject not expressed in the title shall be void only as to such subject. No act shall be revived by reference to its title only. An act expressly amending an act shall set forth at length the section or sections as amended.

No appropriation act shall take affect until the first day of July succeeding its enactment and no other act shall take effect until sixty days after the adjournment of the session at which it was enacted; but in case of emergency (which shall be expressed in the body of the act) the General Assembly may direct otherwise, by a vote of two-thirds of its members elected to each House.

The question being on the adoption of the substitute it was decided in the affirmative.

Mr. Jarman offered the following amendment to section 13 and moved its adoption:

Amend section 13 by inserting after the word passage, in line 7, the following: "No bill shall be passed or become a law and no report of any Conference Committee, unless it shall have been printed and upon the desks of the members at least three calendar legislative days prior to its final passage."

Pending discussion Mr. Dunlap moved that further consideration of section 13 be postponed.

And the motion prevailed.

Section 16 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 52; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dietz	Hollenbeck	Mighell	Stahl
Barr	Dunlap	Hull	Miller	Sutherland
Brenholt	Dupuy, G. A.	Iarussi	Mills	Taff
Brewster	Elting	Ireland	Moore	Torrance
Catron	Fyke	Jack	Paddock	Traeger
Clarke	Gale	Jarman	Pinnell	Trautmann
Coolley	Gilbert	Johnson, L. C.	Rinaker	Wall
Corlett	Goodyear	Kunde	Shanahan	Wilson
Cutting	Gray	Lindly	Shuey	Mr. President
Davis	Hamill	McGuire	Smith	Yeas—52.
Dawes	Hogan	Meinert		Nays—0.

Section 16, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 17 was taken up and read at large.

Pending roll call, by unanimous consent, further consideration of section 17 was postponed.

Section 18 was taken up and read at large.

Whereupon Mr. Dunlap offered the following amendment and moved its adoption:

AMENDMENT No. 4.

The expenses of each department of State Government shall be provided for in separate appropriation bills.

By unanimous consent, the foregoing amendment was withdrawn for the purpose of putting it in better form.

Pending discussion, Mr. Clarke moved that further consideration of section 18 be postponed.

And the motion prevailed.

Section 18½ was taken up and read at large.

Whereupon Mr. Sutherland offered the following amendment and moved its adoption:

AMENDMENT No. 5.

Amend section 18½ by inserting after the word "voting" in line 4 on page 75, the words "for members of the General Assembly."

And the amendment was adopted.

The question then being on the adoption of the section, as amended, pending roll call Mr. Davis moved that further consideration of section 18½ be postponed.

And the motion prevailed.

Section 19 was taken up and read at large.

Whereupon Mr. Dawes offered the following amendment and moved its adoption:

AMENDMENT No. 6.

Amend section 19 by adding at the end thereof the following: "But the General Assembly may provide for the creation of death disability or retirement funds for public employees."

The question being on the adoption of the amendment a division of the Convention was had, resulting as follows: Yeas, 23; nays, 25.

And the amendment was lost.

The question then being on the adoption of the section, pending roll call Mr. Rinaker moved that further consideration of section 19 be potsponed.

And the motion prevailed.

Section 20 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 52; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Hogan	Mighell	Stahl
Barr	Dietz	Hollenbeck	Miller	Sutherland
Brenholt	Dunlap	Hull	Mills	Taff
Brewster	Dupuy, G. A.	Iarussi	Moore	Torrance
Cary, C. D.	Elting	Jack	Paddock	Traeger
Catron	Fyke	Jarman	Pinnell	Trautmann
Clarke	Gale	Johnson, L. C.	Rinaker	Wall
Coolley	Gilbert	Kunde	Shanahan	Wilson
Corlett	Goodyear	Lindly	Shuey	Mr. President
Cutting	Gray	McGuire	Smith	Yeas—52.
Davis	Hamill	Meinert		Nays—0.

Section 20, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 21 was taken up and read at large.

Whereupon Mr. Jarman offered the following amendments and moved their adoption:

AMENDMENT No. 7.

Amend section 21 by inserting after the words "section 21" the following: "The general session of the General Assembly shall continue not longer than 100 days."

The question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 27; nays, 20.

And the amendment was adopted.

AMENDMENT No. 8.

Amend section 21 by inserting after the words "one hundred days" the following:

"Each member of the General Assembly shall receive for his services not to exceed twenty dollars a day for every day he shall attend the session, or be absent on account of his duties as a member, and not to exceed ten cents for each mile necessarily traveled for one round trip to and from the seat of government, to be computed by the Auditor of Public Accounts."

So that the section shall read as follows:

"Each member of the General Assembly shall receive for his services not to exceed twenty dollars a day for every day he shall attend the session, or be absent on account of his duties as a member, and not to exceed ten cents for each mile necessarily traveled for one round trip to and from the seat of government, to be computed by the Auditor of Public Accounts. The pay and mileage allowed each Senator and Representative shall be certified by the presiding officer of their respective Houses, and published in the Journals; and no Senator or Representative shall receive any other compensation, or allowance, directly or indirectly, for any purpose whatever."

Mr. Sutherland offered the following amendment to the amendment and moved its adoption:

AMENDMENT NO. 1 TO AMENDMENT NO. 8.

Amend section 21 by adding thereto the following: "No law increasing the pay or allowance of members of the General Assembly shall take effect until the second regular session following its enactment."

The question being on the adoption of the amendment to the amendment, a division of the Convention was had resulting as follows: Yeas, 20; nays, 27.

And the amendment to the amendment was lost.

The question recurring on the adoption of Amendment No. 8, Mr. Shanahan moved that further consideration be postponed until tomorrow.

And the motion prevailed.

Mr. Hamill moved that when the Convention adjourns today it stand adjourned until 9:00 o'clock a. m. tomorrow.

And the motion prevailed.

Mr. Fyke offered the following resolution and moved its adoption:

RESOLUTION NO. 38.

WHEREAS, Colonel J. Mack Tanner, one of the members of the Illinois Constitutional Convention, died in the city of Chicago, April 15, 1922; and

WHEREAS, Colonel Tanner, the distinguisned son of an illustrious father, served the people of the State of Illinois in many public capacities and in his death, the State has suffered a great loss; now, therefore

Be it resolved, by the Constitutional Convention of the State of Illinois, That the members thereof express their sorrow at the death of Colonel Tanner and their sympathy with the members of his family; and

Be it further resolved, That this resolution be spread on the records of the Convention; that a suitably engrossed copy thereof be forwarded the family and, as a further mark of respect and affection for Colonel Tanner, that the Convention do now adjourn.

The resolution was unanimously adopted by a rising vote and, in accordance with the motion heretofore adopted, the Convention, at the hour of 6:45 o'clock p. m., stood adjourned until 9:00 o'clock a. m. tomorrow.

WEDNESDAY, APRIL 26, 1922, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. J. C. Brown, of the First Methodist Episcopal Church, of Rushville.

The Journal of Tuesday, April 18th, having been printed and placed on the desks of the delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

In accordance with the resolution adopted on yesterday the Secretary called the roll of the Convention, which resulted as follows: Present, 60.

Those voting present are: Messrs.

Adams	Dawes	Hollenbeck	Meinert	Stahl
Barr	Dietz	Hull	Mighell	Sutherland
Beckman	Dunlap	Ireland	Miller	Taff
Brenholt	Dupuy, G. A.	Jack	Mills	Tebbens
Brewster	Elting	Jarman	Moore	Torrance
Cary, C. D.	Fyke	Johnson, L. C.	Paddock	Traeger
Catron	Gale	Johnson, W. A.	Pinnell	Trautmann
Clarke	Gilbert	Kunde	Rinaker	Wall
Coolley	Goodyear	Lindly	Shanahan	Warren
Corlett	Gray	Mayer	Shuey	Wilson
Cutting	Hamill	McEwen	Six	Wolff
Davis	Hogan	McGuire	Smith	Mr. President

Present—60.

The pending question at the hour of adjournment on yesterday being the consideration of Amendment No. 8, to section 21, of Report No. 12, of the Committee on Phraseology and Style, the same was again taken up.

By unanimous consent Mr. Jarman withdrew all that portion of his amendment after the words "public accounts" in line 9.

Mr. Trautmann offered the following amendment to Amendment No. 8, and moved its adoption.

Amendment No. 2 to Amendment No. 8.

Amend the amendment now pending by striking out the following in lines 2, 3 and 4: "for every day he shall attend the session or be absent on account of his duties as a member," and add in lieu thereof the following: "for every day that the General Assembly is actually in session."

And the amendment to the amendment was lost.

The question then being on the adoption of Amendment No. 8, a call of the roll was had, resulting as follows: Yeas, 28; nays, 29.

Those voting in the affirmative are: Messrs.

Beckman	Dupuy, G. A.	Jarman	Mighell	Shuey
Brandon	Fyke	Johnson, L. C.	Mills	Stahl
Brewster	Gale	Johnson, W. A.	Moore	Taff
Cary, C. D.	Hogan	Mayer	Pinnell	Wall
Coolley	Hollenbeck	McGuire	Rinaker	Wolff
Corlett	Jack	Meinert		

Yeas—28.

Those voting in the negative are: Messrs.

Adams	Dietz	Ireland	Paddock	Traeger
Brenholt	Elting	Kunde	Six	Trautmann
Catron	Gilbert	Lindly	Smith	Warren
Clarke	Goodyear	McEwen	Sutherland	Wilson
Davis	Hamill	Miller	Tebbens	Mr. President
Dawes	Hull	O'Brien	Torrance	

Nays—29

And the amendment was lost.

Mr. Jarman offered the following amendment and moved its adoption:

AMENDMENT No. 9.

Amend section 21 by inserting after the words "100 days" the following: "Each member of the General Assembly shall receive for his services an amount a day for every day he shall attend the session of the General Assembly, or be absent on account of his duties as a member, and not to exceed ten cents for each mile necessarily traveled for one round trip to and from the seat of government, to be computed by the Auditor of Public Accounts."

And the question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 27; nays, 28.

And the amendment was lost.

Mr. Jarman offered the following amendment and moved its adoption:

AMENDMENT No. 10.

Amend section 21 by inserting after the words "100 days" the following: "Each member of the General Assembly shall receive for his services not more than $2,000 for each biennial period, and not to exceed 10 cents a mile for each mile necessarily traveled for one round trip to and from the seat of government to be computed by the Auditor of Public Accounts."

Mr. Lindly offered the following amendment to the amendment and moved its adoption:

AMENDMENT No. 1 TO AMENDMENT No. 10.

Amend Amendment No. 10 by striking out the figures "$2,000.00" and inserting in lieu thereof the figures "$3,500.00."

The question then being on the adoption of Amendment No. 1 to Amendment No. 10, a call of the roll was had, resulting as follows: Yeas, 16; nays, 41.

Those voting in the affirmative are: Messrs.

Catron	Gale	Ireland	Mayer	Taff
Davis	Gilbert	Johnson, L. C.	McEwen	Wall
Dietz	Gray	Lindly	Paddock	Wolff
Elting				

Yeas—16.

Those voting in the negative are: Messrs.

Adams	Dawes	Jarman	O'Brien	Torrance
Brandon	Dupuy, G. A.	Johnson, W. A.	Pinnell	Traeger
Brenholt	Fyke	Kunde	Rinaker	Trautmann
Brewster	Goodyear	McGuire	Shuey	Warren
Cary, C. D.	Hamill	Meinert	Six	Whitman
Clarke	Hogan	Mighell	Smith	Woodward
Coolley	Hollenbeck	Mills	Stahl	Mr. President
Corlett	Hull	Moore	Sutherland	Nays—41.
Cutting	Jack			

And the amendment to the amendment was lost.

The question recurring on the adoption of Amendment No. 10, a call of the roll was had, resulting as follows: Yeas, 29; nays, 30.

Those voting in the affirmative are: Messrs.

Beckman	Cutting	Hollenbeck	McGuire	Shuey
Brandon	Elting	Jack	Meinert	Stahl
Brewster	Fyke	Jarman	Mighell	Taff
Cary, C. D.	Gale	Johnson, L. C.	Mills	Warren
Coolley	Gray	Johnson, W. A.	Pinnell	Whitman
Corlett	Hogan	Mayer	Rinaker	Yeas—29.

Those voting in the negative are: Messrs.

Adams	Dietz	Kunde	Paddock	Traeger
Brenholt	Dupuy, G. A.	Lindly	Shanahan	Trautmann
Catron	Gilbert	McEwen	Six	Wall
Clarke	Goodyear	Miller	Smith	Wolff
Davis	Hamill	Moore	Sutherland	Woodward
Dawes	Hull	O'Brien	Todd	Mr. President
				Nays—30.

And the amendment was lost.

By unanimous consent, the word "general" was stricken out of section 21, and the word "regular" inserted.

The question then being on the adoption of section 21, as amended, a call of the roll was had, resulting as follows: Yeas, 27; nays, 31.

Those voting in the affirmative are: Messrs.

Adams	Gale	Johnson, L. C.	Mills	Stahl
Brandon	Hogan	Johnson, W. A.	Moore	Sutherland
Brewster	Hollenbeck	McGuire	Pinnell	Taff
Cary, C. D.	Ireland	Meinert	Rinaker	Wall
Coolley	Jack	Mighell	Shuey	Warren
Fyke	Jarman			Yeas—27.

Those voting in the negative are: Messrs.

Beckman	Dawes	Gray	McEwen	Tebbens
Brenholt	Dietz	Hamill	Miller	Torrance
Catron	Dupuy, G. A.	Hull	O'Brien	Traeger
Clarke	Elting	Kunde	Paddock	Trautmann
Corlett	Gilbert	Lindly	Six	Wilson
Cutting	Goodyear	Mayer	Smith	Mr. President
Davis				Nays—31.

Section 21, having received the votes of less than a majority of the Delegates elected, failed to pass.

Section 21½ was taken up and read at large.

Whereupon Mr. Sutherland offered the following amendment and moved its adoption:

AMENDMENT No. 11.

Amend section 21½ by adding thereto the following:

"No law increasing the pay or other allowance of members of the General Assembly shall take effect until the second regular session of the General Assembly next following its enactment."

And the question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 53; nays, 0.

And the amendment was adopted.

Mr. Sutherland offered the following amendment and moved its adoption:

AMENDMENT No. 12.

Amend section 21½ by inserting after the figures "21½" in line one, the following:

"The pay and mileage allowed each Senator and Representative shall be certified by the presiding officers of their respective Houses and published in the journals; and no Senator or Representative shall receive any other compensation or allowance."

And the amendment was adopted.

The question then being on the adoption of section 21½, as amended, a call of the roll was had, resulting as follows: Yeas, 60; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dietz	Hull	Miller	Sutherland
Beckman	Dunlap	Ireland	Mills	Taff
Brandon	Dupuy, G. A.	Jack	Moore	Tebbens
Brenholt	Elting	Johnson, L. C.	O'Brien	Torrance
Brewster	Fyke	Johnson, W. A.	Paddock	Traeger
Cary, C. D.	Gale	Kunde	Pinnell	Trautmann
Catron	Gilbert	Lindly	Rinaker	Wall
Clarke	Goodyear	Mayer	Shanahan	Warren
Coolley	Gray	McEwen	Shuey	Wilson
Corlett	Hamill	McGuire	Six	Wolff
Cutting	Hogan	Meinert	Smith	Mr. President
Davis	Hollenbeck	Mighell	Stahl	Yeas—60.
Dawes				Nays—0.

Section 21½, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 22 was taken up and read at large.

Whereupon Mr. Clarke offered the following amendment and moved its adoption:

AMENDMENT No. 13.

Amend section 22 by changing the word "and" in the fourth line to the word "or" so that the second paragraph shall read: "Change the names of persons or places;".

And the amendment was adopted.

Mr. Cutting offered the following amendment and moved its adoption:

AMENDMENT No. 14.

Amend section 22 by striking out the 6th paragraph thereof.

And the amendment was adopted.

The question then being on the adoption of section 22, as amended, a call of the roll was had, resulting as follows: Yeas, 56; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Hollenbeck	Miller	Stahl
Barr	Dietz	Hull	Mills	Sutherland
Beckman	Dunlap	Ireland	Moore	Taff
Brandon	Dupuy, G. A.	Jack	O'Brien	Torrance
Brenholt	Elting	Johnson, L. C.	Paddock	Traeger
Brewster	Fyke	Kunde	Pinnell	Trautmann
Cary, C. D.	Gale	Lindly	Rinaker	Wall
Catron	Gilbert	Mayer	Shanahan	Warren
Clarke	Goodyear	McEwen	Shuey	Wolff
Coolley	Gray	McGuire	Six	Mr. President
Corlett	Hamill	Mighell	Smith	Yeas—56.
Cutting	Hogan			Nays—0.

Section 22, having received the votes of a majority of the Delegates elected, was declared passed, and under the rules was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

By unanimous consent, consideration of section 23 was postponed.

Section 24 was again taken up.

Whereupon Mr. Shanahan offered the following amendment and moved its adoption:

AMENDMENT No. 15.

Amend section 24 by striking out the word "majority" and inserting in lieu thereof the words "two-thirds vote."

And the amendment was adopted.

The question then being on the adoption of section 24, as amended, a call of the roll was had, resulting as follows: Yeas, 53; nays 5.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Hogan	Miller	Smith
Beckman	Dietz	Hollenbeck	Mills	Stahl
Brandon	Dunlap	Hull	Moore	Sutherland
Brenholt	Dupuy, G. A.	Jack	O'Brien	Torrance
Cary, C. D.	Elting	Johnson, L. C.	Paddock	Traeger
Catron	Fyke	Kunde	Pinnell	Trautmann
Clarke	Gale	Lindly	Rinaker	Wall
Coolley	Gilbert	Mayer	Shanahan	Warren
Corlett	Goodyear	McEwen	Shuey	Wolff
Cutting	Gray	McGuire	Six	Mr. President
Davis	Hamill	Meinert		Yeas—53.

Those voting in the negative are: Messrs.

Brewster	Jarman	Johnson, W. A.	Mighell	Taff
				Nays—5.

Section 24, having received the votes of a majority of the delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 25 was taken up and read at large.

Whereupon Mr. Mayer offered the following amendment and moved its adoption:

AMENDMENT No. 16.

Amend section 25 by inserting after the word "state" the words, "or any political subdivision thereof."

The question then being on the adoption of the amendment a division of the Convention was had, resulting as follows: Yeas, 25; nays, 28.

And the amendment was lost.

The question recurring on the adoption of section 25, a call of the roll was had, resulting as follows: Yeas, 58; nays, 0.

Those voting in the Affirmative are: Messrs.

Adams	Dietz	Hull	Miller	Stahl
Beckman	Dunlap	Jack	Mills	Sutherland
Brandon	Dupuy, G. A.	Jarman	Moore	Taff
Brenholt	Elting	Johnson, L. C.	O'Brien	Torrance
Brewster	Fyke	Johnson, W. A.	Paddock	Traeger
Cary, C. D.	Gale	Kunde	Parker	Trautmann
Catron	Gilbert	Lindly	Pinnell	Wall
Clarke	Goodyear	Mayer	Rinaker	Warren
Coolley	Gray	McEwen	Shanahan	Wolff
Corlett	Hamill	McGuire	Shuey	Mr. President
Cutting	Hogan	Meinert	Six	Yeas—58.
Davis	Hollenbeck	Mighell	Smith	Nays—0.

Section 25, having received the votes of a majority of the delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 26 was taken up and read at large.

Whereupon Mr. Mayer offered the following amendment and moved its adoption:

AMENDMENT No. 17.

Amend section 26 by inserting after the end of the second paragraph the following words: "No one holding public office for hire in the State or any subdivision thereof or any municipality therein shall be interested in any contract with the State or any subdivision thereof or municipality therein."

And the amendment was lost.

The question then being on the adoption of section 26, a call of the roll was had, resulting as follows: Yeas, 59; nays, 0.

Those voting in the Affirmative are: Messrs.

Adams	Davis	Hull	Mighell	Smith
Barr	Dietz	Ireland	Miller	Stahl
Beckman	Dunlap	Jack	Mills	Sutherland
Brandon	Dupuy, G. A.	Jarman	Moore	Taff
Brenholt	Elting	Johnson, L. C.	O'Brien	Tebbens
Brewster	Gale	Johnson, W. A.	Paddock	Traeger
Cary, C. D.	Gilbert	Kunde	Parker	Trautmann
Catron	Goodyear	Lindly	Pinnell	Wall
Clarke	Gray	Mayer	Rinaker	Warren
Coolley	Hamill	McEwen	Shanahan	Wolff
Corlett	Hogan	McGuire	Shuey	Mr. President
Cutting	Hollenbeck	Meinert	Six	Yeas—59.
				Nays—0.

Section 26, having received the votes of a majority of the delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

At the hour of 12:40 o'clock p. m., Mr. Hamill moved that the Convention do now take a recess until 2:00 o'clock p. m.

And the motion prevailed.

2:00 O'CLOCK P. M.

The hour of 2:00 o'clock p. m. having arrived, the Convention resumed its session.

The President presiding.

Section 27 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 57; nays, 0.

Those voting in the Affirmative are: Messrs.

Adams	Dietz	Hull	Miller	Sutherland
Barr	Dunlap	Ireland	Mills	Taff
Brandon	Dupuy, G. A.	Jack	Moore	Torrance
Brenholt	Elting	Jarman	Paddock	Traeger
Brewster	Fyke	Johnson, L. C.	Parker	Trautmann
Cary, C. D.	Gale	Johnson, W. A.	Pinnell	Wall
Clarke	Gilbert	Lindly	Shanahan	Warren
Coolley	Goodyear	Mayer	Shuey	Wilson
Corlett	Gray	McEwen	Six	Wolff
Cutting	Hamill	McGuire	Smith	Mr. President
Davis	Hogan	Meinert	Stahl	Yeas—57.
Dawes	Hollenbeck	Mighell		Nays—0.

Section 27, having received the votes of a majority of the delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 28 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 58; nays, 0.

Those voting in the Affirmative are: Messrs.

Adams	Dawes	Hollenbeck	Mighell	Stahl
Barr	Dietz	Hull	Miller	Sutherland
Beckman	Dunlap	Ireland	Mills	Taff
Brandon	Dupuy, G. A.	Jack	Moore	Torrance
Brenholt	Elting	Jarman	Paddock	Traeger
Brewster	Fyke	Johnson, L. C.	Parker	Wall
Cary, C. D.	Gale	Johnson, W. A.	Pinnell	Warren
Clarke	Gilbert	Lindly	Rinaker	Wilson
Coolley	Goodyear	Mayer	Shanahan	Wolff
Corlett	Gray	McEwen	Shuey	Mr. President
Cutting	Hamill	McGuire	Six	Yeas—58.
Davis	Hogan	Meinert	Smith	Nays—0.

Section 28, having received the votes of a majority of the delegates elected, was declared passed, and, under the rules, was re-refrred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 29 was taken up and read at large.

Whereupon Mr. Clarke offered the following amendment and moved its adoption:

AMENDMENT No. 18.

Amend the next to the last paragraph of section 29 by inserting in the last line of said paragraph after the word "State" a comma and the words "any political subdivision thereof"; so that the paragraph will read:

"Organizing drainage districts having powers of eminent domain and special assessment for flood control or for sanitary or agricultural purposes, the expense of such districts to be paid for in whole or in part by the State, any political subdivision thereof, or by the district."

And the amendment was adopted.

Mr. Taff offered the following amendment and moved its adoption:

AMENDMENT No. 19.

Amend section 29 by striking out the following words: "The expense of such districts to be paid for in whole or part by the State or the district."

And the amendment was lost.

Mr. Dunlap offered the following amendment and moved its adoption:

AMENDMENT No. 20.

Amend section 29 in line 12 after the words "eminent domain" by inserting a comma and the word "taxation."

Pending discussion Mr. Hamill moved that section 29, together with the pending amendment be recommitted to the Committee on Phraseology and Style.

And the motion prevailed.

Section 30 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 57; nays, 3.

Those voting in the Affirmative are: Messrs.

Adams	Dawes	Ireland	Miller	Sutherland
Barr	Dietz	Jack	Mills	Taff
Beckman	Dunlap	Jarman	Moore	Tebbens
Brandon	Dupuy, G. A.	Johnson, L. C.	O'Brien	Torrance
Brenholt	Elting	Johnson, W. A.	Paddock	Traeger
Brewster	Fyke	Kunde	Parker	Trautmann
Cary, C. D.	Gale	Lindly	Pinnell	Wall
Catron	Gilbert	Mayer	Shanahan	Warren
Clarke	Goodyear	McEwen	Six	Wilson
Coolley	Hogan	Meinert	Smith	Wolff
Corlett	Hollenbeck	Mighell	Stahl	Mr. President
Cutting	Hull			Yeas—57.

Those voting in the negative are: Messrs.

Davis	Hamill	Rinaker	Nays—3.

Section 30, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 31 was taken up and read at large.

Whereupon Mr. Davis offered the following amendment and moved its adoption:

AMENDMENT No. 21.

Amend section 31 by inserting after the word "for" and before the word "taxation" the following words, "or exempted from."

And the amendment was adopted.

The question then being on the adoption of section 31, as amended, a call of the roll was had, resulting as follows: Yeas, 58; nays, 1.

Those voting in the affirmative are: Messrs.

Adams	Davis	Hollenbeck	Mighell	Stahl
Barr	Dawes	Hull	Mills	Sutherland
Beckman	Dietz	Ireland	Moore	Taff
Brandon	Dunlap	Jack	Paddock	Torrance
Brenholt	Dupuy, G. A.	Jarman	Parker	Traeger
Brewster	Elting	Johnson, L. C.	Pinnell	Trautmann
Cary, C. D.	Fyke	Johnson, W. A.	Rinaker	Wall
Catron	Gale	Kunde	Shanahan	Warren
Clarke	Goodyear	Lindly	Shuey	Wilson
Coolley	Gray	Mayer	Six	Wolff
Corlett	Hamill	McEwen	Smith	Mr. President
Cutting	Hogan	McGuire		Yeas—58.

Those voting in the negative are: Mr.

O'Brien	Nays—1.

Section 31, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

By unanimous consent, upon his request, Mr. Gilbert was excused from attendance at the Convention for the balance of today and tomorrows sessions.

Section 32 was taken up and read at large.

Whereupon Mr. Clarke offered the following amendment and moved its adoption:

AMENDMENT No. 22.

Amend section 32 by striking out all after the word "compensation" and substituting in lieu thereof the following: "but such interest shall attach only to the fund accumulated and shall impose no obligation upon the State to create or maintain such fund."

So that the section will read: Section 32. Any public officer or employe or his beneficiary may be given by law a vested interest in the accumulated portion of any death, disability or retirement fund to which he is required by law to contribute a part of his compensation; but such interest shall attach only to the fund accumulated, and shall impose no obligation upon the State to create or maintain such fund.

And the amendment was adopted.

The question then being on the adoption of section 32, as amended, a call of the roll was had, resulting as follows: Yeas, 53; nays, 10.

Those voting in the affirmative are: Messrs.

Adams	Davis	Hogan	McGuire	Stahl
Barr	Dawes	Hull	Meinert	Sutherland
Beckman	Dietz	Ireland	Miller	Tebbens
Brandon	Dunlap	Jack	Moore	Torrance
Brenholt	Dupuy, G. A.	Johnson, L. C.	O'Brien	Traeger
Brewster	Elting	Johnson, W. A.	Paddock	Trautmann
Catron	Fyke	Kunde	Parker	Wall
Clarke	Gale	Latchford	Shanahan	Wilson
Coolley	Garrett	Lindly	Six	Wolff
Corlett	Gray	Mayer	Smith	Mr. President
Cutting	Hamill	McEwen		

Yeas—53.

Those voting in the negative are: Messrs.

Cary, C. D.	Jarman	Mills	Pinnell	Taff
Goodyear	Mighell	Nichols	Rinaker	Warren

Nays—10.

Section 32, having received the votes of a majority of the delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 33 was taken up and read at large.

Whereupon Mr. Mayer offered the following amendment and moved its adoption:

AMENDMENT No. 23.

Amend section 33 by adding thereto the following:

"If such proposed amendment has been submitted to a vote of the people such vote shall control the General Assembly or Convention that passes upon such proposed amendment."

Pending discussion Mr. Hamill moved that further consideration of section 33, together with the pending amendment, be postponed.

The question being on the motion to postpone, a division of the Convention was had, resulting as follows: Yeas, 27; nays, 32.

And the motion to postpone was lost.

Mr. Sutherland moved to lay Amendment No. 23 to section 33 on the table.

And the question being on the motion to table, a division of the Convention was had, resulting as follows: Yeas, 27; nays, 24.

The motion prevailed.

And Amendment No. 23 was ordered to lie on the table.

The question then being on the adoption of section 33, a call of the roll was had, pending which Mr. Davis moved that further consideration of the section be postponed.

And the motion was lost.

The roll being continued resulted as follows: Yeas, 17; nays, 43.

Those voting in the Affirmative are: Messrs.

Adams	Catron	Garrett	Hamill	Moore
Beckman	Clarke	Goodyear	Lindly	Sutherland
Brandon	Coolley	Gray	Mayer	Trautmann
Brenholt	Dietz			Yeas—17.

Those voting in the negative are: Messrs.

Barr	Fyke	Kunde	Paddock	Tebbens
Brewster	Gale	Latchford	Parker	Torrance
Cary, C. D.	Hogan	McEwen	Pinnell	Traeger
Corlett	Hollenbeck	McGuire	Rinaker	Wall
Cutting	Ireland	Meinert	Six	Warren
Dawes	Jack	Mighell	Smith	Wilson
Dunlap	Jarman	Miller	Stahl	Wolff
Dupuy, G. A.	Johnson, L. C.	Mills	Taff	Mr. President
Elting	Johnson, W. A.	Nichols		Nays—43.

Section 33, having received the votes of less than a majority of the delegates elected, failed to pass.

The Convention proceeding upon the consideration of Report No. 7, of the Committee on Phraseology and Style, on the subject of Suffrage and Elections, section 6 thereof was taken up and read at large.

Whereupon Mr. Trautmann offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend section 6 by inserting before the word "Tuesday" in line 3 thereof the word "first."

And the amendment was adopted.

Mr. Davis moved that debate be now closed and that the Convention proceed to vote.

And the motion prevailed.

The question then being on the adoption of section 6, as amended, a call of the roll was had, resulting as follows: Yeas, 54; nays, 9.

Those voting in the affirmative are: Messrs.

Adams	Dietz	Ireland	Mills	Stahl
Beckman	Dunlap	Jack	Moore	Taff
Brandon	Dupuy, G. A.	Jarman	Nichols	Torrance
Brenholt	Elting	Johnson, L. C.	Paddock	Traeger
Brewster	Fyke	Johnson, W. A.	Parker	Trautmann
Cary, C. D.	Gale	Lindly	Pinnell	Wall
Catron	Garrett	McEwen	Rinaker	Warren
Clarke	Goodyear	McGuire	Shanahan	Wilson
Coolley	Gray	Meinert	Shuey	Wolff
Cutting	Hogan	Mighell	Six	Mr. President
Dawes	Hollenbeck	Miller	Smith	Yeas—54.

Those voting in the negative are: Messrs.

Barr	Davis	Kunde	O'Brien	Tebbens
Corlett	Hamill	Mayer	Sutherland	Nays—9.

Section 6, having received the votes of a majority of the delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 7 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 62; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Hull	Mills	Sutherland
Barr	Dietz	Jack	Moore	Taff
Beckman	Dunlap	Jarman	Nichols	Tebbens
Brandon	Dupuy, G. A.	Johnson, L. C.	O'Brien	Torrance
Brenholt	Elting	Johnson, W. A.	Paddock	Traeger
Brewster	Fyke	Kunde	Parker	Trautmann
Cary, C. D.	Gale	Latchford	Pinnell	Wall
Catron	Garrett	Lindly	Rinaker	Warren
Clarke	Goodyear	Mayer	Shuey	Wilson
Coolley	Gray	McEwen	Six	Wolff
Corlett	Hamill	McGuire	Smith	Mr. President
Cutting	Hogan	Meinert	Stahl	Yeas—62.
Davis	Hollenbeck	Mighell		Nays—0.

Section 7, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 8 was again taken up.

Whereupon Mr. G. A. Dupuy offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend section 8 by striking out the word "may" in line 2 and inserting in lieu thereof the word "shall."

And the amendment was adopted.

The question then being on the adoption of section 8, as amended, a call of the roll was had, resulting as follows: Yeas, 10; nays, 52.

Those voting in the affirmative are: Messrs.

Dawes	Dupuy, G. A.	Jack	Meinert	Mills
Dietz	Hollenbeck	Lindly	Mighell	Moore
				Yeas—10.

Those voting in the negative are: Messrs.

Adams	Cutting	Ireland	Nichols	Taff
Barr	Davis	Jarman	Paddock	Tebbens
Beckman	Dunlap	Johnson, L. C.	Parker	Torrance
Brandon	Elting	Johnson, W. A.	Pinnell	Traeger
Brenholt	Fyke	Kunde	Rinaker	Trautmann
Brewster	Gale	Latchford	Shuey	Wall
Cary, C. D.	Garrett	Mayer	Six	Warren
Catron	Goodyear	McEwen	Smith	Wilson
Clarke	Gray	McGuire	Stahl	Wolff
Coolley	Hamill	Miller	Sutherland	Mr. President
Corlett	Hogan			Nays—52.

Section 8, having received the votes of less than a majority of the Delegates elected, failed to pass.

The Convention proceeding upon the consideration of Report No. 6, of the Committee on Phraseology and Style, on the subject of Corporations, section 1 thereof was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 61; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Hull	Mighell	Sutherland
Barr	Dietz	Ireland	Miller	Taff
Beckman	Dunlap	Jack	Mills	Tebbens
Brandon	Dupuy, G. A.	Jarman	Moore	Torrance
Brenholt	Elting	Johnson, L. C.	Nichols	Traeger
Brewster	Fyke	Johnson, W. A.	Paddock	Trautmann
Cary, C. D.	Gale	Kunde	Parker	Wall
Catron	Garrett	Lindly	Rinaker	Warren
Clarke	Goodyear	Mayer	Shuey	Wilson
Coolley	Gray	McEwen	Six	Wolff
Corlett	Hamill	McGuire	Smith	Mr. President
Cutting	Hogan	Meinert	Stahl	Yeas—61.
Davis	Hollenbeck			Nays—0.

Section 1, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 2 was taken up and read at large.

Whereupon Mr. Cutting moved that the report of the Committee of the Whole, on section 2, be substituted for section 2 of the report of the Committee on Phraseology and Style.

Pending discussion, Mr. Fyke moved that further consideration of section 2, together with the pending amendment be postponed until next Wednesday.

And the motion was lost.

Mr. Lindly moved that further consideration of section 2, together with the pending amendment be postponed.

And the motion prevailed.

Section 3 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 63; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Ireland	Miller	Stahl
Barr	Dietz	Jack	Mills	Sutherland
Beckman	Dunlap	Jarman	Moore	Taff
Brandon	Dupuy, G. A.	Johnson, L. C.	Nichols	Torrance
Brenholt	Elting	Johnson, W. A.	O'Brien	Traeger
Brewster	Fyke	Kunde	Paddock	Trautmann
Cary, C. D.	Garrett	Latchford	Parker	Wall
Catron	Goodyear	Lindly	Pinnell	Warren
Clarke	Gray	Mayer	Rinaker	Wilson
Coolley	Hamill	McEwen	Shanahan	Wolff
Corlett	Hogan	McGuire	Shuey	Mr. President
Cutting	Hollenbeck	Meinert	Six	Yeas—63.
Davis	Hull	Mighell	Smith	Nays—0.

Section 3, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 4 was taken up and read at large.

Pending roll call Mr. Dawes moved that further consideration of section 4 be postponed.

And the motion prevailed.

Section 5 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 63; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Ireland	Miller	Stahl
Barr	Dietz	Jack	Mills	Sutherland
Beckman	Dupuy, G. A.	Jarman	Moore	Taff
Brandon	Elting	Johnson, L. C.	Nichols	Tebbens
Brenholt	Fyke	Johnson, W. A.	O'Brien	Torrance
Brewster	Gale	Kunde	Paddock	Traeger
Cary, C. D.	Garrett	Latchford	Parker	Trautmann
Catron	Goodyear	Lindly	Pinnell	Wall
Clarke	Gray	Mayer	Rinaker	Warren
Coolley	Hamill	McEwen	Shanahan	Wolff
Corlett	Hogan	McGuire	Shuey	Mr. President
Cutting	Hollenbeck	Meinert	Six	Yeas—63.
Davis	Hull	Mighell	Smith	Nays—0.

Section 5, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 6 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 63; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Hull	Mighell	Stahl
Barr	Dietz	Ireland	Mills	Sutherland
Beckman	Dunlap	Jack	Moore	Taff
Brandon	Dupuy, G. A.	Jarman	Nichols	Tebbens
Brenholt	Elting	Johnson, L. C.	O'Brien	Torrance
Brewster	Fyke	Johnson, W. A.	Paddock	Traeger
Cary, C. D.	Gale	Kunde	Parker	Trautmann
Catron	Garrett	Latchford	Pinnell	Wall
Clarke	Goodyear	Lindly	Rinaker	Warren
Coolley	Gray	Mayer	Shanahan	Wolff
Corlett	Hamill	McEwen	Shuey	Mr. President
Cutting	Hogan	McGuire	Six	Yeas—63.
Davis	Hollenbeck	Meinert	Smith	Nays—0.

Section 6, having received the votes of a majority of the delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 7 was taken up and read at large.

Whereupon Mr. Fyke offered the following as a substitute for section 7 and moved its adoption:

AMENDMENT No. 1.

Amend section 7 of Report No. 6 of the Committee on Phraseology and Style (being the article on Corporations) by striking out all after the figure "7" and inserting in lieu thereof the following:

"No contract, obligation or liability whatever, of the Illinois Central Railroad Company, to pay any money into the State Treasury, nor any lien of the State upon, or right to tax property of that company, in accordance with the provisions of the charter of said company, approved February tenth, in the year of our Lord One Thousand Eight Hundred and Fifty-one, shall ever be released, suspended, modified, altered, remitted, or in any manner diminished or impaired by legislative or other authority; and all moneys derived from that company after the payment of the State debt, shall be appropriated and set apart for the payment of the ordinary expenses of the State government, and for no other purpose whatever."

And the amendment was adopted.

The question then being on the adoption of section 7, as amended, a call of the roll was had, resulting as follows: Yeas, 64; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Hull	Mighell	Smith
Barr	Dietz	Ireland	Miller	Stahl
Beckman	Dunlap	Jack	Mills	Sutherland
Brandon	Dupuy, G. A.	Jarman	Moore	Taff
Brenholt	Elting	Johnson, L. C.	Nichols	Tebbens
Brewster	Fyke	Johnson, W. A.	O'Brien	Torrance
Cary, C. D.	Gale	Kunde	Paddock	Traeger
Catron	Garrett	Latchford	Parker	Trautmann
Clarke	Goodyear	Lindly	Pinnell	Wall
Coolley	Gray	Mayer	Rinaker	Warren
Corlett	Hamill	McEwen	Shanahan	Wolff
Cutting	Hogan	McGuire	Shuey	Mr. President
Davis	Hollenbeck	Meinert	Six	

Yeas—64.
Nays—0.

Section 7, having received the votes of a majority of the delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Sections 8 and 9, combined, were taken up and read at large.

Whereupon Mr. Jarman moved that the report of the Committee of the Whole, on sections 8 and 9, be substituted for sections 8 and 9 combined, of the report of the Committee on Phraseology and Style.

And the motion was lost.

Mr. Sutherland offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend sections 8 and 9 combined by adding at the end of the first sentence the words: "and by other common carriers operating between one city or village and another."

And the amendment was lost.

Mr. Rinaker offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend sections 8 and 9 combined by inserting after the word "railroads" in line 6 the following words, "and by other common carriers."

And the amendment was adopted.

Mr. Gale offered the following amendment and moved its adoption:

AMENDMENT No. 4.

Substitute for sections 8 and 9 combined the following:

"No public utility shall charge excessive or unreasonable rates nor discriminate against any person."

And the amendment was lost.

Mr. Coolley offered the following amendment and moved its adoption:

AMENDMENT No. 5.

Amend combined sections 8 and 9 so as to read:

"The General Assembly shall prevent extortion and unjust discrimination in freight and passenger rates."

And the amendment was lost.

The question then being on the adoption of sections 8 and 9, combined, as amended, a call of the roll was had, resulting as follows: Yeas, 33; nays, 27.

Those voting in the affirmative are: Messrs.

Adams	Corlett	Hull	Meinert	Rinaker
Brandon	Dunlap	Jack	Mighell	Stahl
Brenholt	Dupuy, G. A.	Jarman	Mills	Taff
Brewster	Goodyear	Johnson, W. A.	Moore	Torrance
Catron	Gray	Latchford	Nichols	Traeger
Clarke	Hogan	Lindly	Pinnell	Warren
Coolley	Hollenbeck	McGuire		

Yeas—33.

Those voting in the negative are: Messrs.

Barr	Dietz	Ireland	Miller	Smith
Beckman	Elting	Johnson, L. C.	O'Brien	Sutherland
Cary, C. D.	Fyke	Kunde	Paddock	Tebbens
Cutting	Gale	Mayer	Parker	Wolff
Davis	Garrett	McEwen	Shanahan	Mr. President
Dawes	Hamill			

Yeas—27.

Sections 8 and 9, combined, having received the votes of less than a majority of the delegates elected, failed to pass.

Mr. Sutherland gave notice that on the next Convention day he would move to reconsider the vote by which sections 8 and 9, combined, had failed to pass.

At the hour of 6:35 o'clock p. m., Mr. Hamill moved that the Convention do now adjourn until 9:00 o'clock a. m. tomorrow.

The motion prevailed.

And the Convention stood adjourned.

THURSDAY, APRIL 27, 1922, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. J. C. Brown, of the First Methodist Episcopal church, of Rushville.

The Journal of Tuesday, April 25th, having been printed and placed on the desks of the delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

In accordance with the resolution adopted April 25th, the Secretary called the roll of the Convention, which resulted as follows: Present, 67.

Those voting present are: Messrs.

Adams	Dawes	Ireland	Mighell	Smith
Barr	Dietz	Jack	Miller	Stahl
Beckman	Dunlap	Jarman	Mills	Sutherland
Brandon	Dupuy, G. A.	Johnson, L. C.	Moore	Taff
Brenholt	Elting	Johnson, W. A.	Nichols	Tebbens
Brewster	Fyke	Kunde	Paddock	Torrance
Cary, C. D.	Gale	Latchford	Parker	Traeger
Carlstrom	Garrett	Lill	Pincus	Trautmann
Catron	Goodyear	Lindly	Pinnell	Wall
Clarke	Gray	Mayer	Rinaker	Warren
Coolley	Hamill	McEwen	Shanahan	Wilson
Corlett	Hogan	McGuire	Shuey	Wolff
Cutting	Hollenbeck	Meinert	Six	Mr. President
Davis	Hull			Present—67.

Mr. Sutherland, in accordance with his notice of yesterday, moved to reconsider the vote by which sections 8 and 9 combined, of Report No. 6, of the Committee on Phraseology and Style, had failed to pass.

And the motion prevailed.

Mr. Sutherland moved that sections 8 and 9, of the report of the Committee of the Whole, be substituted for sections 8 and 9 combined, as reported by the Committee on Phraseology and Style.

And the motion prevailed.

Mr. Sutherland thereupon offered the following amendment and moved its adoption:

AMENDMENT No. 6.

Amend Report No. 6, by adding an additional section thereto to be known as section 10, as follows:

"Section 10. Nothing in this article shall be construed to prohibit the General Assembly from exercising, with reference to other common carriers or other public utilities, the power mentioned in sections 8 and 9 hereof."

Pending consideration Mr. Miller offered the following as a substitute for Amendment No. 6:

"Section 10. Nothing in sections 8 or 9 shall be construed to limit the powers of the General Assembly."

The question being on the adoption of the substitute.

It was decided in the affirmative and section 10, as amended, was placed on the order of second reading.

Mr. Mayer offered the following amendment and moved its adoption:

AMENDMENT No. 7.

Amend section 10 by striking out all after the figures "10" and inserting in lieu thereof the following: "And the General Assembly shall have all the foregoing powers and shall exercise the same with reference to all other carriers, whether on land or water or in the air."

And the amendment was lost.

Mr. Mighell offered the following amendment and moved its adoption:

AMENDMENT No. 8.

Amend section 10 by striking out all after the figures "10" and inserting in lieu thereof the following: "The General Assembly is directed to exercise the same regulatory power over rates and services of all public utilities as that specified in sections 8 and 9 of this article as to railroads."

And the amendment was lost.

Section 8, of the report of the Committee of the Whole, was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 66; nays, 2.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Ireland	Meinert	Six
Barr	Dietz	Jack	Mighell	Smith
Beckman	Dunlap	Jarman	Miller	Stahl
Brandon	Dupuy, G. A.	Johnson, L. C.	Mills	Sutherland
Brenholt	Elting	Johnson, W. A.	Moore	Taff
Brewster	Fyke	Kunde	Nichols	Tebbens
Cary, C. D.	Gale	Latchford	O'Brien	Torrance
Carlstrom	Garrett	Lill	Paddock	Traeger
Catron	Goodyear	Lindly	Parker	Trautmann
Clarke	Gray	Mack	Pincus	Wall
Coolley	Hogan	Mayer	Pinnell	Warren
Corlett	Hollenbeck	McEwen	Rinaker	Wilson
Cutting	Hull	McGuire	Shuey	Wolff
Davis				

Yeas—66.

Those voting in the negative are: Messrs.

Hamill Mr. President

Nays—2.

Section 8, having received the votes of a maojrity of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 9 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 64; nays, 4.

Those voting in the affirmative are: Messrs.

Adams	Davis	Ireland	Meinert	Smith
Barr	Dawes	Jack	Mighell	Stahl
Beckman	Dietz	Jarman	Miller	Sutherland
Brandon	Dunlap	Johnson, L. C.	Mills	Taff
Brenholt	Dupuy, G. A.	Johnson, W. A.	Moore	Tebbens
Brewster	Elting	Kunde	O'Brien	Torrance
Cary, C. D.	Fyke	Latchford	Paddock	Traeger
Carlstrom	Garrett	Lill	Parker	Trautmann
Catron	Goodyear	Lindly	Pincus	Wall
Clarke	Gray	Mack	Pinnell	Warren
Coolley	Hogan	Mayer	Rinaker	Wilson
Corlett	Hollenbeck	McEwen	Shuey	Wolff
Cutting	Hull	McGuire	Six	

Yeas—64.

Those voting in the negative are: Messrs.

Gale Hamill Nichols Mr. President Nays—4.

Section 9, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 10 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 69; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Ireland	Mighell	Smith
Barr	Dietz	Jack	Miller	Stahl
Beckman	Dunlap	Jarman	Mills	Sutherland
Brandon	Dupuy, G. A.	Johnson, L. C.	Moore	Taff
Brenholt	Elting	Johnson, W. A.	Nichols	Tebbens
Brewster	Fyke	Kunde	O'Brien	Torrance
Cary, C. D.	Gale	Latchford	Paddock	Traeger
Carlstrom	Garrett	Lill	Parker	Trautmann
Catron	Goodyear	Lindly	Pincus	Wall
Clarke	Gray	Mack	Pinnell	Warren
Coolley	Hamill	Mayer	Rinaker	Wilson
Corlett	Hogan	McEwen	Shanahan	Wolff
Cutting	Hollenbeck	McGuire	Shuey	Mr. President
Davis	Hull	Meinert	Six	

Yeas—69.
Nays—0.

Section 10, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

By unanimous consent, Mr. Miller was excused from further attendance at the sessions of the Convention until Saturday morning.

Mr. Clarke submitted the following report:

Your Committee on Phraseology and Style, to which was referred section 29 of Report No. 12, on the Legislative Department, respectfully reports that it has reconsidered such section and herewith presents a substitute therefor, as follows:

Section 29. The General Assembly may provide for:

Opening private roads to communicate with public roads;

Permitting owners and lessees of lands and minerals to construct drains, ditches and levees upon, across or under the lands of others for agricultural, sanitary and mining purposes;

Organizing drainage districts having powers of eminent domain and special assessment for flood control or for sanitary or agricultural purposes; and

Making surveys and straightening and improving water courses in part at the expense of drainage districts and in part by the State or any political subdivision thereof.

This section shall not be construed as a limitation of the powers of the General Assembly.

Respectfully submitted,

E. L. Clarke.
Thos. Rinaker.
E. H. Brewster.
G. A. Barr.
C. B. T. Moore.
H. E. Torrance.

The report of the committee was ordered printed and section 29 placed on the order of second reading.

The Convention proceeding upon the consideration of Report No. 2, of the Committee on Phraseology and Style, on the subject of Warehouses, section 1 thereof was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 64; nays, 3.

Those voting in the affirmative are: Messrs.

Adams	Davis	Hull	Mighell	Six
Barr	Dawes	Jack	Miller	Smith
Beckman	Dietz	Jarman	Mills	Stahl
Brandon	Dunlap	Johnson, L. C.	Moore	Sutherland
Brenholt	Dupuy, G. A.	Johnson, W. A.	Nichols	Taff
Brewster	Elting	Kunde	O'Brien	Tebbens
Cary, C. D.	Fyke	Latchford	Paddock	Torrance
Carlstrom	Gale	Lill	Parker	Traeger
Catron	Garrett	Lindly	Pincus	Wall
Clarke	Goodyear	Mack	Pinnell	Warren
Coolley	Gray	McEwen	Rinaker	Wilson
Corlett	Hogan	McGuire	Shanahan	Mr. President
Cutting	Hollenbeck	Meinert	Shuey	Yeas—64.

Those voting in the negative are: Messrs.

Hamill	Mayer	Wolff	Nays—3.

Section 1, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 2 was taken up and read at large.

Whereupon Mr. Dunlap offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend section 2 in line 3 after the word "inhabitants" by inserting the following words "or such number of inhabitants as may be provided by law."

So that the section as amended will read as follows:

"Section 2. The manager of every public warehouse in cities of over one hundred thousand inhabitants, or such number of inhabitants as may be provided by law, shall post conspicuously each week, in the office of the warehouse, a sworn statement of the amount and grade of grain and also of the other property stored therein, and of the warehouse receipts outstanding, and shall file a copy of the statement in a place designated by law. Changes in quantity and grade of grain stored shall be noted daily upon the statement in the warehouse. Unless the owner or consignee consents, different grades of grain shipped in separate lots shall not be mixed."

And the amendment was adopted.

Mr. Coolley offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Strike out after the word "warehouses" in the second line the words, "in cities of more than one hundred thousand inhabitants."

And the amendment was lost.

The question then being on the adoption of section 2, as amended, a call of the roll was had, resulting as follows: Yeas, 60; nays, 4.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Hogan	McGuire	Smith
Barr	Davis	Hollenbeck	Meinert	Stahl
Beckman	Dawes	Hull	Mighell	Sutherland
Brandon	Dietz	Ireland	Mills	Taff
Brenholt	Dunlap	Jack	Moore	Tebbens
Brewster	Dupuy, G. A.	Jarman	Nichols	Torrance
Cary, C. D.	Elting	Johnson, L. C.	Pincus	Traeger
Carlstrom	Fyke	Johnson, W. A.	Pinnell	Trautmann
Catron	Gale	Kunde	Rinaker	Wall
Clarke	Garrett	Lindly	Shanahan	Warren
Coolley	Goodyear	Mack	Shuey	Wilson
Corlett	Gray	McEwen	Six	Mr. President
				Yeas—60.

Those voting in the negative are: Messrs.

Hamill	Mayer	O'Brien	Wolff	Nays—4.

Section 2, having received the votes of a majority of the delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 3 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 63; nays, 2.

Those voting in the affirmative are: Messrs.

Adams	Davis	Hull	Mighell	Smith
Barr	Dawes	Ireland	Mills	Stahl
Beckman	Dietz	Jack	Moore	Sutherland
Brandon	Dunlap	Jarman	Nichols	Taff
Brenholt	Dupuy, G. A.	Johnson, L. C.	O'Brien	Tebbens
Brewster	Elting	Johnson, W. A.	Paddock	Torrance
Cary, C. D.	Fyke	Kunde	Pincus	Traeger
Carlstrom	Gale	Lindly	Pinnell	Trautmann
Catron	Garrett	Mack	Rinaker	Wall
Clarke	Goodyear	Mayer	Shanahan	Warren
Coolley	Gray	McEwen	Shuey	Wilson
Corlett	Hogan	McGuire	Six	Mr. President
Cutting	Hollenbeck	Meinert		Yeas—63.

Those voting in the negative are: Messrs.

Hamill	Wolff	Nays—2.

Section 3, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 4 was taken up and read at large.

Whereupon, Mr. Dunlap offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend section 4 in line 2 by striking out the word "thereon" and by inserting after the word "and" in line one the word "other."

So that the section as amended will read as follows:

"Section 4. Railroads and other common carriers shall, at the point of shipment, weigh or measure, and receipt for, the full amount of grain and deliver it to the consignee or owner."

And the amendment was adopted.

The question then being on the adoption of section 4, as amended, a call of the roll was had, resulting as follows: Yeas, 60; nays, 6.

Those voting in the affirmative are: Messrs.

Adams	Dunlap	Jack	Mills	Smith
Barr	Dupuy, G. A.	Jarman	Moore	Stahl
Brenholt	Elting	Johnson, L. C.	Nichols	Sutherland
Brewster	Fyke	Johnson, W. A.	O'Brien	Taff
Cary, C. D.	Gale	Kunde	Paddock	Tebbens
Carlstrom	Garrett	Lill	Parker	Torrance
Catron	Goodyear	Lindly	Pincus	Traeger
Clarke	Gray	Mack	Pinnell	Trautmann
Coolley	Hogan	McEwen	Rinaker	Wall
Corlett	Hollenbeck	McGuire	Shanahan	Warren
Cutting	Hull	Meinert	Shuey	Wilson
Dietz	Ireland	Mighell	Six	Mr. President
				Yeas—60.

Those voting in the negative are: Messrs.

Davis	Hamill	Latchford	Mayer	Wolff
Dawes				Nays—6.

Section 4, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to

the Committee on Phraseology and Style for action, as provided by Rule 20.

At the hour of 12:00 o'clock noon, Mr. Moore, by unanimous consent, called the attention of the Convention to the One Hundredth Anniversary of the birth of General Ulysses S. Grant, and in commemoration of the occasion appropriate remarks were made by General Abel Davis, Captain Oscar E. Carlstrom, Captain Rollo Six and Rear Admiral B. C. T. Moore.

At the hour of 12:40 o'clock p. m., Mr. Moore moved that the Convention do now take a recess until 2:00 o'clock p. m.

And the motion prevailed.

2:00 o'Clock P. M.

The hour of 2:00 o'clock p. m. having arrived the Convention resumed its session.

The President presiding.

The pending question at the hour of taking a recess being the consideration of Report No. 2, of the Committee on Phraseology and Style, section 5 thereof was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 54; nays, 4.

Those voting in the affirmative are: Messrs.

Adams	Dunlap	Jack	Mighell	Smith
Beckman	Dupuy, G. A.	Johnson, L. C.	Mills	Stahl
Brandon	Elting	Johnson, W. A.	Moore	Sutherland
Brenholt	Fyke	Latchford	Nichols	Taff
Cary, C. D.	Gale	Lill	Paddock	Torrance
Catron	Garrett	Lindly	Parker	Traeger
Clarke	Goodyear	Mack	Pinnell	Trautmann
Coolley	Gray	Mayer	Rinaker	Wall
Corlett	Hogan	McEwen	Shanahan	Warren
Cutting	Hollenbeck	McGuire	Shuey	Mr. President
Dietz	Hull	Meinert	Six	Yeas—54.

Those voting in the affirmative are: Messrs.

Davis	Dawes	Hamill	Wolff	Nays—4.

Section 5, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Sections 6 and 7 combined were taken up and read at large.

Whereupon Mr. Dunlap offered the following amendment and moved its adoption:

Amendment No. 4.

Amend combined sections 6 and 7, in line 5, after the word "producers" by inserting the word "and" and in lines 6 and 7 by striking the words "consumers and others interested."

So that the section as amended will read as follows:

"Sections 6 and 7 combined. The General Assembly shall give full effect to this article and provide for the inspection of grain and produce, the protection of producers, and shippers, and receivers, and the prevention of fraudulent warehouse receipts. Nothing in this article implies a limitation upon the power of the General Assembly or abridges common law remedies."

And the amendment was lost.

The question recurring on the adoption of sections 6 and 7 combined, a call of the roll was had, resulting as follows: Yeas, 63; nays, 2.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Jack	Mighell	Smith
Barr	Dietz	Jarman	Mills	Sneed
Beckman	Dunlap	Johnson, L. C.	Moore	Stahl
Brandon	Dupuy, G. A.	Johnson, W. A.	Nichols	Sutherland
Brenholt	Elting	Kunde	O'Brien	Taff
Brewster	Fyke	Latchford	Paddock	Torrance
Cary, C. D.	Gale	Lill	Parker	Traeger
Carlstrom	Garrett	Lindly	Pinnell	Trautmann
Catron	Goodyear	Mack	Rinaker	Wall
Clarke	Gray	Mayer	Shanahan	Warren
Coolley	Hogan	McEwen	Shuey	Wilson
Corlett	Hollenbeck	McGuire	Six	Mr. President
Cutting	Hull	Meinert		Yeas—63.

Those voting in the negative are: Messrs.

Hamill	Wolff	Nays—2.

Sections 6 and 7 combined, having received the votes of a majority of the Delegates elected, were declared passed, and, under the rules, were re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Mr. Dunlap gave notice that on the next Convention day he would move to reconsider the vote by which sections 6 and 7 combined were adopted.

The Convention proceeding upon the consideration of Report No. 13, of the Committee on Phraseology and Style, on the subject of Canals and Waterways, section 1 thereof was taken up and read at large.

Whereupon Mr. Jarman moved that the report of the Committee of the Whole, on sections 1, 2, 3 and 6, be substituted for section 1 of the report of the Committee on Phraseology and Style.

And the motion prevailed.

Section 1, of the report of the Committee of the Whole, was thereupon taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 64; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Hull	Mighell	Stahl
Barr	Dawes	Jack	Mills	Sutherland
Beckman	Dietz	Jarman	Moore	Taff
Brandon	Dunlap	Johnson, L. C.	Nichols	Tebbens
Brenholt	Dupuy, G. A.	Johnson, W. A.	Paddock	Torrance
Brewster	Elting	Latchford	Pincus	Traeger
Cary, C. D.	Fyke	Lill	Pinnell	Trautmann
Carlstrom	Gale	Lindly	Rinaker	Wall
Catron	Garrett	Mack	Shanahan	Warren
Clarke	Goodyear	Mayer	Shuey	Wilson
Coolley	Gray	McEwen	Six	Wolff
Corlett	Hogan	McGuire	Smith	Mr. President
Cutting	Hollenbeck	Meinert	Sneed	Yeas—64.

Nays—0.

Section 1, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 2, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. Jarman moved that further consideration of the section be postponed.

And the motion was lost.

Mr. Mayer offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend section 2 by striking out the following words: "but the aggregate amount of all such additional appropriations and bonds, except as otherwise provided in section 3 of this article shall not exceed ten million dollars unless."

And the amendment was lost.

Mr. Jarman offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend section 2 by striking out after the word "dollars" the comma and the word "unless" and insert a period after the word "dollars."

And the amendment was lost.

Mr. Jarman offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend section 2 by striking out of the 3d line from the bottom of page 104 the words "the aggregate amount of" and from the 2d, 3d, 4th and 5th lines from the top of page 105 the words "shall not exceed ten million dollars unless the law making such appropriations or authorizing such bonds" and insert after the word "first" the word "be," and strike out of the 2d line from last of section 2 the words "have been" and insert in lieu thereof the word "be.'

And the question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 30; nays, 25.

And the amendment was adopted.

Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 4.

Amend section 2, in the last line on page 104, by striking out the words "appropriations and".

And the question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 32; nays, 23.

And the amendment was adopted.

The question then being on the adoption of section 2, as amended, a call of the roll was had, resulting as follows: Yeas, 35; nays, 30.

Those voting in the affirmative are: Messrs.

Barr	Cutting	Gray	Mayer	Sutherland
Beckman	Dawes	Hamill	McEwen	Tebbens
Brandon	Dunlap	Ireland	Moore	Traeger
Brenholt	Dupuy, G. A.	Johnson, L. C.	Paddock	Trautmann
Catron	Elting	Latchford	Pincus	Wilson
Clarke	Fyke	Lill	Quinn	Wolff
Corlett	Gale	Lindly	Shanahan	Mr. President

Yeas—35.

Those voting in the negative are: Messrs.

Brewster	Goodyear	Johnson, W. A.	Nichols	Smith
Cary, C. D.	Hogan	Mack	Parker	Sneed
Carlstrom	Hollenbeck	McGuire	Pinnell	Stahl
Coolley	Hull	Meinert	Rinaker	Taff
Dietz	Jack	Mighell	Shuey	Wall
Garrett	Jarman	Mills	Six	Warren

Nays—30.

Section 2, having received the votes of less than a majority of the delegates elected, failed to pass.

Section 3, of the report of the Committee of the Whole, was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 65; nays, 3.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Ireland	Mighell	Sneed
Barr	Dietz	Jack	Moore	Stahl
Beckman	Dunlap	Jarman	Nichols	Sutherland
Brandon	Dupuy, G. A.	Johnson, L. C.	Paddock	Taff
Brenholt	Elting	Johnson, W. A.	Parker	Tebbens
Brewster	Fyke	Latchford	Pincus	Torrance
Carlstrom	Gale	Lill	Pinnell	Traeger
Catron	Garrett	Lindly	Quinn	Trautmann
Clarke	Gray	Mack	Rinaker	Wall
Coolley	Hamill	Mayer	Shanahan	Warren
Corlett	Hogan	McEwen	Shuey	Wilson
Cutting	Hollenbeck	McGuire	Six	Wolff
Davis	Hull	Meinert	Smith	Mr. President

Yeas—65.

Those voting in the negative are: Messrs.

Cary, C. D.	Goodyear	Mills	Nays—3.

Section 3, having received the votes of a majority of the delegates elected, was declared passed, and, under the rules, was re-rferred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 6, of the report of the Committee of the Whole, was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 33; nays, 31.

Those voting in the affirmative are: Messrs.

Adams	Garrett	Johnson, W. A.	Parker	Smith
Brewster	Goodyear	Mack	Pinnell	Sneed
Carlstrom	Hogan	Mayer	Quinn	Stahl
Catron	Hollenbeck	McGuire	Rinaker	Taff
Dietz	Hull	Mighell	Shuey	Wall
Dunlap	Jack	Mills	Six	Warren
Gale	Jarman	Nichols		

Yeas—33.

Those voting in the negative are: Messrs.

Barr	Cutting	Ireland	Meinert	Torrance
Brandon	Dawes	Johnson, L. C.	Moore	Traeger
Brenholt	Dupuy, G. A.	Latchford	Pincus	Trautmann
Cary, C. D.	Elting	Lill	Shanahan	Wilson
Clarke	Fyke	Lindly	Sutherland	Wolff
Coolley	Hamill	McEwen	Tebbens	Mr. President
Corlett				

Nays—31.

Section 6, having received the votes of less than a majority of the delegates elected, failed to pass.

Mr. Hull moved to reconsider the vote by which section 2 had failed to pass.

Mr. Jarman moved to lay that motion on the table.

And the question being on the motion to table, it was decided in the negative.

The question recurring on the motion to reconsider, a division of the Convention was had, resulting as follows: Yeas, 42; nays, 11.

And the motion prevailed.

Whereupon Mr. Hull moved that further consideration of section 2 be postponed.

The question being on the motion to postpone, a division of the Convention was had, resulting as follows: Yeas, 23; nays, 22.

And the motion prevailed.

Mr. Hull moved to reconsider the vote by which section 6 had failed to pass.

And the motion prevailed.

Whereupon Mr. Hull moved that further consideration of section 6 be postponed.

And the motion prevailed.

Section 2 of the report of the Committee on Phraseology and Style was taken up and read at large.

Whereupon Mr. Lindly moved that sections 4, 5 and 7 of the report of the Committee of the Whole be substituted for section 2, of the report of the Committee on Phraseology and Style.

And the motion prevailed.

Section 4, of the report of the Committee of the Whole, was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 68; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Ireland	Mills	Stahl
Barr	Dietz	Jack	Moore	Sutherland
Beckman	Dunlap	Jarman	Nichols	Taff
Brandon	Dupuy, G. A.	Johnson, L. C.	Paddock	Tebbens
Brenholt	Elting	Johnson, W. A.	Parker	Torrance
Brewster	Fyke	Latchford	Pincus	Traeger
Cary, C. D.	Gale	Lill	Pinnell	Trautmann
Carlstrom	Garrett	Lindly	Quinn	Wall
Catron	Goodyear	Mack	Rinaker	Warren
Clarke	Gray	Mayer	Shanahan	Wilson
Coolley	Hamill	McEwen	Shuey	Wolff
Corlett	Hogan	McGuire	Six	Mr. President
Cutting	Hollenbeck	Meinert	Smith	Yeas—68.
Davis	Hull	Mighell	Sneed	Nays—0.

Section 4, having received the votes of a majority of the delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 5, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. Hamill moved to strike out the word "or" in line 4, of section 5.

And the motion prevailed.

The question then being on the adoption of section 5, as amended, a call of the roll was had, resulting as follows: Yeas, 66; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Ireland	Mills	Stahl
Barr	Dietz	Jack	Moore	Sutherland
Beckman	Dunlap	Jarman	Nichols	Taff
Brandon	Dupuy, G. A.	Johnson, L. C.	Paddock	Tebbens
Brenholt	Elting	Johnson, W. A.	Parker	Torrance
Brewster	Fyke	Latchford	Pincus	Traeger
Cary, C. D.	Gale	Lill	Pinnell	Trautmann
Carlstrom	Garrett	Lindly	Quinn	Wall
Catron	Goodyear	Mack	Shanahan	Warren
Clarke	Gray	McEwen	Shuey	Wilson
Coolley	Hamill	McGuire	Six	Wolff
Corlett	Hogan	Meinert	Smith	Mr. President
Cutting	Hollenbeck	Mighell	Sneed	Yeas—66.
Davis	Hull			Nays—0.

Section 5, having received the votes of a majority of the delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 7, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. Barr offered the following amendment and moved its adoption:

AMENDMENT No. 5.

Amend section 7 by substituting the last paragraph of section 2 therefor, as follows:

"Section 7. Leases of State canals and waterways and of State property held in connection therewith shall be subject to revaluation every twenty years."

And the amendment was adopted.

Mr. Rinaker offered the following amendment and moved its adoption:

AMENDMENT No. 6.

Amend section 7 by inserting after the word "therewith" the words, "including water power."

And the amendment was adopted.

The question then being on the adoption of section 7, as amended, a call of the roll was had, resulting as follows: Yeas, 66; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dunlap	Jarman	Moore	Stahl
Barr	Dupuy, G. A.	Johnson, L. C.	Nichols	Sutherland
Beckman	Elting	Johnson, W. A.	Paddock	Taff
Brandon	Fyke	Latchford	Parker	Tebbens
Brenholt	Gale	Lill	Pincus	Torrance
Brewster	Garrett	Lindly	Pinnell	Traeger
Cary, C. D.	Goodyear	Mack	Quinn	Trautmann
Catron	Gray	Mayer	Rinaker	Wall
Clarke	Hamill	McEwen	Shanahan	Warren
Coolley	Hogan	McGuire	Shuey	Wilson
Corlett	Hollenbeck	Meinert	Six	Wolff
Cutting	Hull	Mighell	Smith	Mr. President
Dawes	Ireland	Mills	Sneed	Yeas—66.
Dietz	Jack			Nays—0.

Section 7, having received the votes of a majority of the delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

The Convention proceeding upon the consideration of Report No. 15, of the Committee on Phraseology and Style, on the subject of Home Rule and Zoning, section 5 thereof was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 66; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Ireland	Mighell	Smith
Barr	Dietz	Jack	Mills	Sneed
Beckman	Dunlap	Jarman	Moore	Stahl
Brandon	Dupuy, G. A.	Johnson, L. C.	Nichols	Sutherland
Brenholt	Elting	Johnson, W. A.	Paddock	Taff
Brewster	Fyke	Latchford	Parker	Tebbens
Cary, C. D.	Gale	Lill	Pincus	Torrance
Carlstrom	Garrett	Lindly	Pinnell	Traeger
Catron	Goodyear	Mack	Quinn	Trautmann
Clarke	Gray	Mayer	Rinaker	Whitman
Coolley	Hamill	McEwen	Shanahan	Wilson
Corlett	Hogan	McGuire	Shuey	Mr. President
Cutting	Hollenbeck	Meinert	Six	
Davis	Hull			

Yeas—66.
Nays—0.

Section 5, having received the votes of a majority of the delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 8 was taken up and read at large.

Whereupon Mr. Garrett offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend section 8 by adding after word "valid" the words: "Such regulations may be prospective only."

And the amendment was lost.

Mr. Dupuy offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend section 8 by substituting the following words therefor:

"Section 8. The General Assembly may authorize municipal corporations to adopt reasonable regulations governing in specific zones, the use and appearance of lands and the character, use and appearance of structures."

And the amendment was adopted.

Mr. Mayer offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend section 8 by adding thereto the following:

"But no such regulations shall apply to or affect any rights or conditions existing at the time of the adoption of such regulations."

And the amendment was lost.

Mr. Hull offered the following amendment and moved its adoption:

AMENDMENT No. 4.

Amend section 8 by adding thereto the following:

"Such regulations may be made so as to affect the future or prospective uses of property, as distinguished from its use at the time of the adoption thereof, and so as to permit the continuation of any existing use of property in close proximity to other property on which such use is restricted."

Pending discussion, Mr. Davis moved that further consideration of section 8, together with the pending amendment, be postponed.

And the motion prevailed.

The Convention proceeding upon the consideration of Report No. 4, of the Committee on Phraseology and Style, on the subject of education, section 1 thereof was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 66; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Jarman	Moore	Stahl
Barr	Dietz	Johnson, L. C.	Nichols	Sutherland
Beckman	Dunlap	Johnson, W. A.	Paddock	Taff
Brandon	Dupuy, G. A.	Latchford	Parker	Tebbens
Brenholt	Elting	Lill	Pincus	Torrance
Brewster	Garrett	Lindly	Pinnell	Traeger
Cary, C. D.	Goodyear	Mack	Quinn	Trautmann
Carlstrom	Gray	Mayer	Rinaker	Wall
Catron	Hamill	McEwen	Shanahan	Warren
Clarke	Hogan	McGuire	Shuey	Wilson
Coolley	Hollenbeck	Meinert	Six	Wolff
Corlett	Hull	Mighell	Smith	Mr. President
Cutting	Ireland	Mills	Sneed	Yeas—66.
Davis	Jack			Nays—0.

Section 1, having received the votes of a majority of the delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 2 was taken up and read at large.

Whereupon Mr. Gray offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend section 2 by adding the following: "and the system of State Normal Schools."

And the question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 32; nays, 17.

And the amendment was adopted.

The question then being on the adoption of section 2, as amended, a call of the roll was had, resulting as follows: Yeas, 53; nays, 12.

Those voting in the affirmative are: Messrs.

Adams	Davis	Hull	Mighell	Sneed
Barr	Dawes	Ireland	Moore	Stahl
Beckman	Dietz	Jack	Nichols	Sutherland
Brandon	Dunlap	Jarman	Paddock	Torrance
Brenholt	Dupuy, G. A.	Johnson, L. C.	Pinnell	Traeger
Brewster	Elting	Johnson, W. A.	Quinn	Wall
Catron	Gale	Lill	Rinaker	Warren
Clarke	Garrett	Lindly	Shuey	Wilson
Coolley	Gray	Mack	Six	Wolff
Corlett	Hogan	Mayer	Smith	Mr. President
Cutting	Hollenbeck	McEwen		Yeas—53.

Those voting in the negative are: Messrs.

Cary, C. D.	Hamill	Meinert	Shanahan	Tebbens
Carlstrom	Latchford	Mills	Taff	Trautmann
Goodyear	McGuire			Nays—12.

Section 2, having received the votes of a majority of the delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 3 was taken up and read at large.

Whereupon Mr. Clarke offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend section 3 by changing the period at the end of the sentence to a comma and adding the words "except that, by consent of the school officers holding the legal title, special assessments may be levied on school property"; so that the section will read:

"Property received for public education and the proceeds of such property shall not be diverted to another purpose, except that, by consent of the school officers holding the legal title, special assessments may be levied on school property."

And the amendment was adopted.

The question then being on the adoption of section 3, as amended, a call of the roll was had, resulting as follows: Yeas, 61; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Hull	Mighell	Stahl
Barr	Dawes	Jack	Mills	Sutherland
Beckman	Dietz	Johnson, L. C.	Moore	Taff
Brandon	Dunlap	Johnson, W. A.	Nichols	Tebbens
Brenholt	Dupuy, G. A.	Latchford	Paddock	Torrance
Brewster	Elting	Lill	Parker	Traeger
Cary, C. D.	Gale	Lindly	Pinnell	Trautmann
Carlstrom	Garrett	Mack	Rinaker	Wall
Catron	Goodyear	Mayer	Shuey	Warren
Clarke	Gray	McEwen	Six	Wolff
Coolley	Hamill	McGuire	Smith	Mr. President
Corlett	Hogan	Meinert	Sneed	Yeas—61.
Cutting	Hollenbeck			Nays—0.

Section 3, having received the votes of a majority of the delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 4 was taken up and read at large.

Pending roll call, Mr. Brandon moved that further consideration of section 4 be postponed.

And the motion prevailed.

Section 5 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 64; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Ireland	Mighell	Sneed
Barr	Dawes	Jack	Mills	Stahl
Beckman	Dietz	Jarman	Moore	Sutherland
Brandon	Dunlap	Johnson, L. C.	Nichols	Taff
Brenholt	Dupuy, G. A.	Johnson, W. A.	Paddock	Tebbens
Brewster	Elting	Latchford	Parker	Torrance
Cary, C. D.	Gale	Lill	Pinnell	Traeger
Carlstrom	Garrett	Lindly	Quinn	Trautmann
Catron	Goodyear	Mack	Rinaker	Warren
Clarke	Gray	Mayer	Shanahan	Wilson
Coolley	Hamill	McEwen	Shuey	Wolff
Corlett	Hogan	McGuire	Six	Mr. President
Cutting	Hollenbeck	Meinert	Smith	Yeas—64.
				Nays—0.

Section 5, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 6 was taken up and read at large.

Whereupon Mr. Gray offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend section 6 by inserting after the word "elections" in line 4, the words "or appointment."

And the amendment was adopted.

The question then being on the adoption of section 6, as amended, a call of the roll was had, resulting as follows: Yeas, 63; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Ireland	Mills	Stahl
Barr	Dawes	Jack	Moore	Sutherland
Beckman	Dietz	Jarman	Nichols	Taff
Brandon	Dunlap	Johnson, L. C.	O'Brien	Tebbens
Brenholt	Dupuy, G. A.	Johnson, W. A.	Paddock	Torrance
Brewster	Elting	Latchford	Parker	Traeger.
Cary, C. D.	Gale	Lill	Quinn	Trautmann
Carlstrom	Garrett	Mack	Rinaker	Wall
Catron .	Gray	Mayer	Shanahan	Wilson
Clarke	Hamill	McEwen	Shuey	Wolff
Coolley	Hogan	McGuire	Six	Mr. President
Corlett	Hollenbeck	Meinert	Smith	Yeas—63.
Cutting	Hull	Mighell	Sneed	Nays—0.

Section 6, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

By unanimous consent, Mr. Warren was excused from further attendance at the sessions of the Convention until Monday night.

At the hour of 6:30 o'clock p. m., Mr. Hamill moved that the Convention do now adjourn until 9:00 o'clock a. m. tomorrow.

The motion prevailed.

And the Convention stood adjourned.

FRIDAY, APRIL 28, 1922, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. J. C. Brown, of the First Methodist Episcopal Church, of Rushville.

The Journal of Wednesday, April 26th, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

In accordance with the resolution adopted April 25th, the Secretary called the roll of the Convention, which resulted as follows: Present, 70.

Those voting present are: Messrs.

Adams	Cutting	Hogan	Meinert	Smith
Adamkiewicz	Davis	Hollenbeck	Mighell	Sneed
Barr	Dawes	Hull	Mills	Stahl
Beckman	Dietz	Ireland	Moore	Sutherland
Brandon	Dunlap	Jack	Nichols	Taff
Brenholt	Dupuy, G. A.	Jarman	Paddock	Tebbens
Brewster	Elting	Johnson, L. C.	Parker	Torrance
Cary, C. D.	Fyke	Johnson, W. A.	Pincus	Traeger
Carlstrom	Gale	Latchford	Pinnell	Trautmann
Catron	Ganschow	Lill	Quinn	Wall
Chew	Garrett	Lindly	Rinaker	Wilson
Clarke	Goodyear	Mack	Shanahan	Wolff
Coolley	Gray	McEwen	Shuey	Woodward
Corlett	Hamill	McGuire	Six	Mr. President

Present—70.

By unanimous consent Mr. Stahl was excused from further attendance at the sessions of the Convention until Monday.

By unanimous consent Mr. Hollenbeck was excused from further attendance at the sessions of the Convention until Tuesday.

By unanimous consent Mr. Wolff was excused from further attendance at the sessions of the Convention until Monday.

By unanimous consent Mr. Wilson was excused from attendance at the sessions of the Convention held on Monday.

By unanimous consent Mr. Cutting was excused from further attendance at the sessions of the Convention until Monday.

The Convention proceeding upon the consideration of Report No. 19, of the Committee on Phraseology and Style, on the subject of Executive Department, section 1 thereof was taken up and read at large.

Whereupon Mr. Clarke offered the following amendment and moved its adoption.

AMENDMENT No. 1.

Amend section 1 by adding in the first line of the second paragraph after the word "officers" the word "specifically" so that the section will read:

"Section 1. The Executive Department shall consist of a Governor, Lieutenant Governor, Secretary of State, Attorney General, Treasurer, Auditor of Public Accounts, Superintendent of Public Instruction and such other officers as provided by law.

"The officers specifically named in this section shall be elected for terms of four years from the second Monday in January after their election. Except the Lieutenant Governor, they shall reside at the seat of government during their terms.

"The public records and papers of the Executive Department shall be kept at the seat of government."

And the amendment was adopted.

Mr. Hull offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend section 1 by adding at the end thereof the following:

"The Legislature may, by a two-thirds vote of the members elected to each House and entered upon the Journal, provide that the office of Secretary of State, Treasurer and Superintendent of Public Instruction shall be filled by appointment by the Governor."

The question being on the adoption of the amendment, on demand of five Delegates, a call of the roll was had, resulting as follows: Yeas, 38; nays, 21.

Those voting in the affirmative are: Messrs.

Barr	Davis	Johnson, L. C.	Quinn	Torrance
Beckman	Dawes	Latchford	Rinaker	Trautmann
Brandon	Dupuy, G. A.	Lindly	Shanahan	Wall
Brenholt	Fyke	Mack	Shuey	Wilson
Cary, C. D.	Garrett	Mighell	Six	Wolff
Catron	Hamill	Mills	Taff	Woodward
Corlett	Hollenbeck	Moore	Tebbens	Mr. President
Cutting	Hull	Pinnell		Yeas—38.

Those voting in the negative are: Messrs.

Adams	Dietz	Hogan	McEwen	Pincus
Adamkiewicz	Dunlap	Ireland	McGuire	Smith
Brewster	Elting	Jack	Meinert	Sneed
Carlstrom	Gale	Jarman	Nichols	Stahl
Chew	Goodyear	Johnson, W. A.	Paddock	Sutherland
Clarke	Gray	Lill	Parker	Traeger
Coolley				Nays—31.

And the amendment was adopted.

Mr. Elting offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend the second paragraph of section 1, by inserting after the word "election" in the 4th line, the following: "Provided the Governor shall not be eligible to succeed himself or be a candidate for any office during his term."

And the amendment was lost.

Mr. Jarman offered the following amendment and moved its adoption:

AMENDMENT No. 4.

Amend section 1 by inserting after the word "years" in line 3 of paragraph 2, the following: "Except Treasurer, whose term of office shall be two years."

And the amendment was lost.

Mr. G. A. Dupuy offered the following amendment and moved its adoption:

AMENDMENT No. 5.

Amend section 1, by inserting after the word "election" in the 4th line of the second paragraph the following: "Provided the Governor shall not succeed himself."

The question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 28; nays, 41.

And the amendment was lost.

Mr. Rinaker offered the following amendment and moved its adoption:

AMENDMENT No. 6.

Amend section 1, as amended, by inserting the words "Attorney General" after the words "Secretary of State."

The question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 38; nays, 23.

And the amendment was adopted.

Mr. Sutherland offered the following amendment and moved its adoption:

AMENDMENT No. 7.

Amend section 1 by adding at the end thereof the following: "Whenever the General Assembly shall provide for the appointment of any of these officers, it shall coincidently provide for a complete system of civil service for all offices of this State."

And the amendment was lost.

The question then being on the adoption of section 1, as amended, a call of the roll was had, resulting as follows: Yeas, 40; nays, 30.

Those voting in the affirmative are: Messrs.

Barr	Corlett	Hamill	Mills	Taff
Beckman	Cutting	Hollenbeck	Moore	Torrance
Brandon	Davis	Ireland	Pinnell	Traeger
Brenholt	Dawes	Johnson, L. C.	Quinn	Trautmann
Cary, C. D.	Dupuy, G. A.	Latchford	Rinaker	Wilson
Catron	Fyke	Lindly	Shanahan	Wolff
Chew	Ganschow	Mack	Shuey	Woodward
Clarke	Garrett	Mighell	Six	Mr. President

Yeas—40.

Those voting in the negative are: Messrs.

Adams	Dunlap	Hull	McGuire	Smith
Adamkiewicz	Elting	Jack	Meinert	Sneed
Brewster	Gale	Jarman	Nichols	Stahl
Carlstrom	Goodyear	Johnson, W. A.	Paddock	Sutherland
Coolley	Gray	Lill	Parker	Tebbens
Dietz	Hogan	McEwen	Pincus	Wall

Nays—30.

Section 1, having received the votes of less than a majority of the Delegates elected, failed to pass.

Mr. Hull moved to reconsider the vote by which section 1 had failed to pass.

And the motion prevailed.

Mr. Hull thereupon moved to amend section 1 by striking out the words "Attorney General."

And the motion prevailed.

Mr. Gale moved to amend section 1 by striking out the words "Superintendent of Public Instruction."

And the motion was lost.

The question again being on the adoption of section 1, as amended, a call of the roll was had, resulting as follows: Yeas, 43; nays, 27.

Those voting in the affirmative are: Messrs.

Barr	Cutting	Hull	Moore	Taff
Beckman	Davis	Ireland	Paddock	Torrance
Brandon	Dawes	Johnson, L. C.	Pinnell	Traeger
Brenholt	Dupuy, G. A.	Latchford	Quinn	Wall
Cary, C. D.	Fyke	Lindly	Rinaker	Wilson
Catron	Ganschow	Mack	Shanahan	Wolff
Chew	Garrett	McEwen	Shuey	Woodward
Clarke	Hamill	Mighell	Six	Mr. President
Corlett	Hollenbeck	Mills		Yeas—43.

Those voting in the negative are: Messrs.

Adams	Dunlap	Jack	Meinert	Sneed
Adamkiewicz	Elting	Jarman	Nichols	Stahl
Brewster	Gale	Johnson, W. A.	Parker	Sutherland
Carlstrom	Goodyear	Lill	Pincus	Tebbens
Coolley	Gray	McGuire	Smith	Trautmann
Dietz	Hogan			Nays—27.

Section 1, having received the votes of less than a majority of the Delegates elected, failed to pass.

Mr. Trautmann moved to reconsider the vote by which section 1 had failed to pass.

And the motion prevailed.

Mr. Trautmann thereupon moved to amend section 1 by striking out the last sentence thereof.

And the motion prevailed.

The question again being on the adoption of section 1, as amended, a call of the roll was had, resulting as follows: Yeas, 65; nays, 5.

Those voting in the affirmative are: Messrs.

Adams	Corlett	Gray	McGuire	Shuey
Adamkiewicz	Cutting	Hogan	Meinert	Six
Barr	Davis	Hollenbeck	Mighell	Smith
Beckman	Dawes	Ireland	Mills	Sneed
Brandon	Dietz	Jack	Moore	Stahl
Brenholt	Dunlap	Jarman	Nichols	Sutherland
Brewster	Dupuy, G. A.	Johnson, L. C.	Paddock	Taff
Cary, C. D.	Elting	Johnson, W. A.	Parker	Tebbens
Carlstrom	Fyke	Latchford	Pincus	Torrance
Catron	Gale	Lill	Pinnell	Traeger
Chew	Ganschow	Lindly	Quinn	Trautmann
Clarke	Garrett	Mack	Rinaker	Wall
Coolley	Goodyear	McEwen	Shanahan	Mr. President
				Yeas—65.

Those voting in the negative are: Messrs.

Hamill	Hull	Wilson	Wolff	Woodward
				Nays—5.

Section 1, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 2 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 69; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Hogan	Mighell	Sneed
Adamkiewicz	Davis	Hollenbeck	Mills	Stahl
Barr	Dawes	Ireland	Moore	Sutherland
Beckman	Dietz	Jack	Nichols	Taff
Brandon	Dunlap	Jarman	Paddock	Tebbens
Brenholt	Dupuy, G. A.	Johnson, L. C.	Parker	Torrance
Brewster	Elting	Johnson, W. A.	Pincus	Traeger
Cary, C. D.	Fyke	Latchford	Pinnell	Trautmann
Carlstrom	Gale	Lill	Quinn	Wall
Catron	Ganschow	Lindly	Rinaker	Wilson
Chew	Garrett	Mack	Shanahan	Wolff
Clarke	Goodyear	McEwen	Shuey	Woodward
Coolley	Gray	McGuire	Six	Mr. President
Corlett	Hamill	Meinert	Smith	

Yeas—69.
Nays—0.

Section 2, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 3 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 69; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Hollenbeck	Mighell	Sneed
Adamkiewicz	Dawes	Hull	Mills	Stahl
Barr	Dietz	Ireland	Moore	Sutherland
Beckman	Dunlap	Jack	Nichols	Taff
Brandon	Dupuy, G. A.	Jarman	Paddock	Tebbens
Brenholt	Elting	Johnson, L. C.	Parker	Torrance
Brewster	Fyke	Johnson, W. A.	Pincus	Traeger
Cary, C. D.	Gale	Latchford	Pinnell	Trautmann
Carlstrom	Ganschow	Lill	Quinn	Wall
Catron	Garrett	Lindly	Rinaker	Wilson
Clarke	Goodyear	Mack	Shanahan	Wolff
Coolley	Gray	McEwen	Shuey	Woodward
Corlett	Hamill	McGuire	Six	Mr. President
Cutting	Hogan	Meinert	Smith	

Yeas—69.
Nays—0.

Section 3, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 4 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 66; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Hollenbeck	Mighell	Stahl
Adamkiewicz	Davis	Ireland	Mills	Sutherland
Barr	Dawes	Jack	Moore	Taff
Beckman	Dietz	Jarman	Nichols	Tebbens
Brandon	Dunlap	Johnson, L. C.	Paddock	Torrance
Brenholt	Elting	Johnson, W. A.	Parker	Traeger
Brewster	Fyke	Latchford	Pincus	Trautmann
Cary, C. D.	Gale	Lill	Pinnell	Wall
Carlstrom	Ganschow	Lindly	Rinaker	Wilson
Catron	Garrett	Mack	Shuey	Wolff
Chew	Goodyear	McEwen	Six	Woodward
Clarke	Gray	McGuire	Smith	Mr. President
Coolley	Hamill	Meinert	Sneed	
Corlett	Hogan			

Yeas—66.
Nays—0.

Section 4, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 4½ was taken up and read at large.

Whereupon Mr. Clarke offered the following amendment and moved its adoption:

AMENDMENT No. 8.

Amend the note at the end of section four so that the figures in the last line will read "1926," so that the note will read:

"To be put in schedule. After the adoption of this Constitution the first election for Governor, Lieutenant Governor, Secretary of State, Attorney General, Treasurer, and Auditor of Public Accounts shall be held in 1924 and the first election for Superintendent of Public Instruction in 1926."

And the amendment was adopted.

The question then being on the adoption of section 4½, as amended, a call of the roll was had, resulting as follows: Yeas, 66; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Hogan	Meinert	Six
Adamkiewicz	Davis	Hollenbeck	Mighell	Smith
Barr	Dawes	Ireland	Mills	Sneed
Beckman	Dietz	Jack	Moore	Sutherland
Brandon	Dunlap	Jarman	Nichols	Taff
Brenholt	Dupuy, G. A.	Johnson, L. C.	Paddock	Tebbens
Brewster	Elting	Johnson, W. A.	Parker	Traeger
Cary, C. D.	Fyke	Latchford	Pincus	Trautmann
Carlstrom	Gale	Lill	Pinnell	Wall
Catron	Ganschow	Lindly	Quinn	Wolff
Chew	Garrett	Mack	Rinaker	Woodward
Clarke	Goodyear	McEwen	Shanahan	Mr. President
Coolley	Gray	McGuire	Shuey	Yeas—66.
Corlett	Hamill			Nays—0.

Section 4½, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 5 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 67; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Hogan	Mighell	Sneed
Adamkiewicz	Davis	Hollenbeck	Mills	Sutherland
Barr	Dawes	Ireland	Nichols	Taff
Beckman	Dietz	Jack	Paddock	Tebbens
Brandon	Dunlap	Jarman	Parker	Torrance
Brenholt	Dupuy, G. A.	Johnson, L. C.	Pincus	Traeger
Brewster	Elting	Johnson, W. A.	Pinnell	Trautmann
Cary, C. D.	Fyke	Latchford	Quinn	Wall
Carlstrom	Gale	Lill	Rinaker	Wilson
Catron	Ganschow	Lindly	Shanahan	Wolff
Chew	Garrett	Mack	Shuey	Woodward
Clarke	Goodyear	McEwen	Six	Mr. President
Coolley	Gray	McGuire	Smith	Yeas—67.
Corlett	Hamill	Meinert		Nays—0.

Section5, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 6 was taken up and read at large.

Whereupon Mr. Trautmann offered the following amendment and moved its adoption:

AMENDMENT No. 9.

Amend section 6 by striking out the last paragraph thereof.

And the amendment was adopted.

The question then being on the adoption of section 6, as amended, a call of the roll was had, resulting as follows: Yeas, 65; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Hogan	Mighell	Smith
Adamkiewicz	Davis	Hollenbeck	Mills	Sneed
Barr	Dawes	Jack	Moore	Sutherland
Beckman	Dietz	Jarman	Nichols	Taff
Brandon	Dunlap	Johnson, L. C.	Paddock	Tebbens
Brenholt	Dupuy, G. A.	Johnson, W. A.	Parker	Torrance
Brewster	Elting	Latchford	Pincus	Traeger
Cary, C. D.	Fyke	Lill	Pinnell	Trautmann
Carlstrom	Gale	Lindly	Quinn	Wall
Catron	Ganschow	Mack	Rinaker	Wolff
Chew	Garrett	McEwen	Shanahan	Woodward
Clarke	Goodyear	McGuire	Shuey	Mr. President
Coolley	Gray	Meinert	Six	
Corlett				Yeas—65.
				Nays—0.

Section 6, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 7 was taken up and read at large.

Whereupon Mr. Shanahan offered the following amendment and moved its adoption:

AMENDMENT No. 10.

Amend section 7, in line 6, by inserting the word "additional" after the word "one."

And the amendment was adopted.

The question then being on the adoption of section 7, as amended, a call of the roll was had, resulting as follows: Yeas, 67; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Hollenbeck	Mighell	Smith
Adamkiewicz	Davis	Hull	Mills	Sneed
Barr	Dawes	Ireland	Moore	Sutherland
Beckman	Dietz	Jack	Nichols	Taff
Brandon	Dunlap	Jarman	Paddock	Tebbens
Brenholt	Dupuy, G. A.	Johnson, L. C.	Parker	Torrance
Brewster	Elting	Johnson, W. A.	Pincus	Traeger
Cary, C. D.	Fyke	Latchford	Pinnell	Trautmann
Carlstrom	Gale	Lill	Quinn	Wall
Catron	Ganschow	Lindly	Rinaker	Wolff
Chew	Garrett	Mack	Shanahan	Woodward
Clarke	Goodyear	McEwen	Shuey	Mr. President
Coolley	Gray	McGuire	Six	
Corlett	Hogan	Meinert		Yeas—67.
				Nays—0.

Section 7, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 8 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 64; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Corlett	Hogan	Mighell	Smith
Adamkiewicz	Cutting	Hollenbeck	Mills	Sneed
Barr	Davis	Hull	Moore	Sutherland
Beckman	Dawes	Jack	Nichols	Taff
Brandon	Dunlap	Jarman	Paddock	Tebbens
Brenholt	Dupuy, G. A.	Johnson, L. C.	Parker	Torrance
Brewster	Elting	Johnson, W. A.	Pincus	Traeger
Cary, C. D.	Fyke	Latchford	Pinnell	Trautmann
Carlstrom	Gale	Lill	Quinn	Wall
Catron	Ganschow	Lindly	Rinaker	Wolff
Chew	Garrett	Mack	Shanahan	Woodward
Clarke	Goodyear	McEwen	Shuey	Mr. President
Coolley	Gray	McGuire	Six	
				Yeas—64.
				Nays—0.

Section 8, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

By unanimous consent Mr. Brewster was excused from further attendance at the sessions of the Convention until Monday.

By unanimous consent Mr. McEwen was excused from further attendance at the sessions of the Convention until Monday.

Mr. G. A. Dupuy moved that when the Convention adjourns tomorrow it adjourn at noon.

Mr. Hamill moved to lay that motion on the table.

The question being on the motion to table, it was decided in the affirmative.

And the motion was lost.

Mr. Barr moved that when the Convention adjourns tomorrow it do not adjourn until 6 or 7 o'clock p. m.

And the motion prevailed.

At the hour of 12:30 o'clock p. m., Mr. Moore moved that the Convention do now take a recess until 2:00 o'clock p. m.

And the motion prevailed.

2:00 o'Clock P. M.

The hour of 2:00 o'clock p. m. having arrived, the Convention resumed its session.

The President presiding.

The pending question at the hour of taking a recess being the consideration of Report No. 19, of the Committee on Phraseology and Style, section 9 thereof was taken up and read at large.

Whereupon Mr. Trautmann moved to amend section 9 by striking out the last paragraph thereof.

And the motion prevailed.

The question then being on the adoption of section 9, as amended, a call of the roll was had, resulting as follows: Yeas, 57; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Hamill	Mighell	Smith
Barr	Dawes	Hogan	Mills	Sutherland
Beckman	Dietz	Hull	Morris	Taff
Brandon	Dunlap	Jack	Paddock	Tebbens
Brenholt	Dupuy, G. A.	Jarman	Parker	Torrance
Brewster	Elting	Johnson, L. C.	Pinnell	Traeger
Carlstrom	Fyke	Johnson, W. A.	Quinn	Trautmann
Chew	Gale	Latchford	Rinaker	Wolff
Clarke	Ganschow	Lill	Shanahan	Woodward
Coolley	Garrett	Lindly	Shuey	Mr. President
Corlett	Goodyear	Mack	Six	
Cutting	Gray	McGuire		

Yeas—57.
Nays—0.

Section 9, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Mr. Hamill called the attention of the Convention to the fact that he missed a number of roll calls during the morning session, that he was ill and lying down in the President's room and asked the Convention to excuse his absence, and the request was unanimously granted.

Section 10 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 56; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Gray	Mack	Smith
Barr	Davis	Hamill	McGuire	Sutherland
Beckman	Dawes	Hogan	Mighell	Taff
Brandon	Dietz	Hull	Mills	Tebbens
Brenholt	Dunlap	Jack	Moore	Torrance
Brewster	Dupuy, G. A.	Jarman	Paddock	Traeger
Carlstrom	Elting	Johnson, L. C.	Parker	Trautmann
Catron	Fyke	Johnson, W. A.	Pinnell	Wolff
Chew	Gale	Latchford	Quinn	Woodward
Clarke	Ganschow	Lill	Rinaker	Mr. President
Coolley	Garrett	Lindly	Shuey	Yeas—56.
Corlett	Goodyear			Nays—0.

Section 10, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 11 was taken up and read at large.

Whereupon Mr. Hull offered the following amendment and moved its adoption:

AMENDMENT NO. 11.

Amend section 11 by inserting therein, after the word "offenses" the following words, "unless otherwise limited by law."

And the amendment was lost.

The question then being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 63; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Hogan	Mighell	Sneed
Adamkiewicz	Dawes	Hull	Mills	Sutherland
Barr	Dietz	Ireland	Moore	Taff
Brandon	Dunlap	Jack	Paddock	Tebbens
Brenholt	Dupuy, G. A.	Jarman	Parker	Torrance
Cary, C. D.	Elting	Johnson, L. C.	Pincus	Traeger
Carlstrom	Fyke	Johnson, W. A.	Pinnell	Trautmann
Catron	Gale	Latchford	Quinn	Wall
Chew	Ganschow	Lill	Rinaker	Wolff
Clarke	Garrett	Lindly	Shanahan	Woodward
Coolley	Goodyear	Mack	Shuey	Mr. President
Corlett	Gray	McGuire	Six	Yeas—63.
Cutting	Hamill	Meinert	Smith	Nays—0.

Section 11, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 12 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 61; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Hull	Mighell	Smith
Adamkiewicz	Dietz	Ireland	Mills	Sutherland
Barr	Dunlap	Jack	Moore	Taff
Brandon	Dupuy, G. A.	Jarman	Paddock	Tebbens
Brenholt	Elting	Johnson, L. C.	Parker	Torrance
Cary, C. D.	Fyke	Johnson, W. A.	Pincus	Traeger
Carlstrom	Gale	Latchford	Pinnell	Trautmann
Catron	Ganschow	Lill	Quinn	Wall
Chew	Garrett	Lindly	Rinaker	Wolff
Clarke	Goodyear	Mack	Shanahan	Woodward
Coolley	Gray	McGuire	Shuey	Mr. President
Corlett	Hamill	Meinert	Six	Yeas—61.
Davis	Hogan			Nays—0.

Section 12, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 13 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 61; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Ireland	Mills	Sneed
Adamkiewicz	Dietz	Jack	Moore	Sutherland
Barr	Dunlap	Jarman	Paddock	Taff
Brandon	Dupuy, G. A.	Johnson, L. C.	Parker	Tebbens
Brenholt	Elting	Johnson, W. A.	Pincus	Torrance
Cary, C. D.	Fyke	Latchford	Pinnell	Traeger
Carlstrom	Gale	Lill	Quinn	Trautmann
Catron	Garrett	Lindly	Rinaker	Wall
Chew	Goodyear	Mack	Shanahan	Wolff
Clarke	Gray	McGuire	Shuey	Woodward
Coolley	Hamill	Meinert	Six	Mr. President
Corlett	Hogan	Mighell	Smith	Yeas—61.
Davis	Hull			Nays—0.

Section 13, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 14 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 62; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Hull	Mills	Sneed
Adamkiewicz	Dietz	Ireland	Moore	Sutherland
Barr	Dunlap	Jack	Paddock	Taff
Beckman	Dupuy, G. A.	Jarman	Parker	Tebbens
Brandon	Elting	Johnson, L. C.	Pincus	Torrance
Brenholt	Fyke	Johnson, W. A.	Pinnell	Traeger
Cary, C. D.	Gale	Latchford	Quinn	Trautmann
Carlstrom	Ganschow	Lill	Rinaker	Wall
Catron	Garrett	Lindly	Shanahan	Wolff
Chew	Goodyear	Mack	Shuey	Woodward
Clarke	Gray	McGuire	Six	Mr. President
Coolley	Hamill	Meinert	Smith	Yeas—62.
Corlett	Hogan	Mighell		Nays—0.

Section 14, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 15 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 61; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Hull	Mighell	Smith
Adamkiewicz	Dawes	Ireland	Mills	Sutherland
Barr	Dietz	Jack	Moore	Taff
Beckman	Dunlap	Jarman	Paddock	Tebbens
Brandon	Dupuy, G. A.	Johnson, L. C.	Parker	Torrance
Brenholt	Elting	Johnson, W. A.	Pincus	Traeger
Cary, C. D.	Fyke	Latchford	Pinnell	Trautmann
Carlstrom	Gale	Lill	Quinn	Wall
Catron	Garrett	Lindly	Rinaker	Wolff
Chew	Goodyear	Mack	Shanahan	Woodward
Clarke	Gray	McGuire	Shuey	Mr. President
Coolley	Hamill	Meinert	Six	Yeas—61.
Corlett	Hogan			Nays—0.

Section 15, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 16 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 63; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Hogan	Mighell	Sneed
Adamkiewicz	Dawes	Hull	Mills	Sutherland
Barr	Dietz	Ireland	Moore	Taff
Beckman	Dunlap	Jack	Paddock	Tebbens
Brandon	Dupuy, G. A.	Jarman	Parker	Torrance
Brenholt	Elting	Johnson, L. C.	Pincus	Traeger
Cary, C. D.	Fyke	Johnson, W. A.	Pinnell	Trautmann
Carlstrom	Gale	Latchford	Quinn	Wall
Catron	Ganschow	Lill	Rinaker	Wolff
Chew	Garrett	Lindly	Shanahan	Woodward
Clarke	Goodyear	Mack	Shuey	Mr. President
Coolley	Gray	McGuire	Six	Yeas—63.
Corlett	Hamill	Meinert	Smith	Nays—0.

Section 16, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 17 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 62; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Hull	Mills	Sneed
Adamkiewicz	Dawes	Ireland	Moore	Sutherland
Barr	Dietz	Jack	Paddock	Taff
Beckman	Dunlap	Jarman	Parker	Tebbens
Brandon	Dupuy, G. A.	Johnson, L. C.	Pincus	Torrance
Brenholt	Elting	Johnson, W. A.	Pinnell	Traeger
Cary, C. D.	Fyke	Latchford	Quinn	Trautmann
Carlstrom	Gale	Lill	Rinaker	Wall
Catron	Garrett	Lindly	Shanahan	Wolff
Chew	Goodyear	Mack	Shuey	Woodward
Clarke	Gray	McGuire	Six	Mr. President
Coolley	Hamill	Meinert	Smith	Yeas—62.
Corlett	Hogan	Mighell		Nays—0.

Section 17, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 18 was taken up and read at large.

Whereupon Mr. Clarke offered the following amendment and moved its adoption:

AMENDMENT No. 12.

Amend section 18, so as to read as follows:

"Section 18. The officers of the Executive Department shall be paid salaries and shall not receive to their own use any fees, costs, perquisites of office or other compensation.

All fees and costs payable by law for services performed by any officer of the Executive Department shall be paid in advance into the State Treasury."

Pending consideration, Mr. Quinn offered the following as a substitute for Amendment No. 12, and moved its adoption:

Amend section 18 at the end of the first paragraph by striking out the period, inserting a comma and add the following: "Accompanied by an itemized detailed report, verified by the affidavit of such officer, showing the source from which such fees, costs, interests on funds, perquisites or compensation came,' and by adding after the word "costs" in the first paragraph the words, "interests on funds."

And the substitute for Amendment No. 12 was adopted.

Pending discussion, Mr. Trautmann moved that further consideration of section 18 be postponed.

And the motion prevailed.

Section 19 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 59; nays, 4.

Those voting in the affirmative are: Messrs.

Adams	Cruden	Gray	Mack	Sneed
Adamkiewicz	Davis	Hamill	McGuire	Sutherland
Beckman	Dawes	Hogan	Meinert	Taff
Brandon	Dietz	Hull	Paddock	Tebbens
Brenholt	Dunlap	Ireland	Parker	Torrance
Cary, C. D.	Dupuy, G. A.	Jack	Pincus	Traeger
Carlstrom	Elting	Jarman	Pinnell	Trautmann
Catron	Fyke	Johnson, L. C.	Quinn	Wall
Chew	Gale	Johnson, W. A.	Shanahan	Wolff
Clarke	Ganschow	Latchford	Shuey	Woodward
Coolley	Garrett	Lill	Six	Mr. President
Corlett	Goodyear	Lindly	Smith	Yeas—59.

Those voting in the negative are: Messrs.

Barr	Mighell	Mills	Rinaker	Nays—4.

Section 19, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Mr. Gale moved to reconsider the vote by which section 19 was adopted.

The motion prevailed.

And section 19 was again taken up.

Mr. Gale thereupon moved that further consideration of section 19 be postponed.

And the motion prevailed.

Section 20 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 63; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cruden	Hull	Mills	Sneed
Adamkiewicz	Dietz	Ireland	Moore	Sutherland
Barr	Dunlap	Jack	Nichols	Taff
Beckman	Dupuy, G. A.	Jarman	Paddock	Tebbens
Brandon	Elting	Johnson, L. C.	Parker	Torrance
Brenholt	Fyke	Johnson, W. A.	Pincus	Traeger
Cary, C. D.	Gale	Latchford	Pinnell	Trautmann
Carlstrom	Ganschow	Lill	Quinn	Wall
Catron	Garrett	Lindly	Rinaker	Wolff
Chew	Goodyear	Mack	Shanahan	Woodward
Clarke	Gray	McGuire	Shuey	Mr. President
Coolley	Hamill	Meinert	Six	Yeas—63.
Corlett	Hogan	Mighell	Smith	Nays—0.

Section 20, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 21 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 64; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cruden	Hamill	Mighell	Smith
Adamkiewicz	Davis	Hogan	Mills	Sneed
Barr	Dawes	Hull	Moore	Sutherland
Beckman	Dietz	Jack	Nichols	Taff
Brandon	Dunlap	Jarman	Paddock	Tebbens
Brenholt	Dupuy, G. A.	Johnson, L. C.	Parker	Torrance
Cary, C. D.	Elting	Johnson, W. A.	Pincus	Traeger
Carlstrom	Fyke	Latchford	Pinnell	Trautmann
Catron	Gale	Lill	Quinn	Wall
Chew	Ganschow	Lindly	Rinaker	Wolff
Clarke	Garrett	Mack	Shanahan	Woodward
Coolley	Goodyear	McGuire	Shuey	Mr. President
Corlett	Gray	Meinert	Six	Yeas—64.
				Nays—0.

Section 21, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 22 was taken up and read at large.

Whereupon Mr. Taff moved to amend section 22 by striking out the word "town" in line 2 thereof.

And the motion was lost.

The question then being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 56; nays, 7.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Hull	Meinert	Shuey
Adamkiewicz	Dunlap	Ireland	Mighell	Six
Barr	Dupuy, G. A.	Jack	Moore	Smith
Beckman	Elting	Jarman	Nichols	Sneed
Brandon	Fyke	Johnson, L. C.	Paddock	Taff
Brenholt	Gale	Johnson, W. A.	Parker	Tebbens
Cary, C. D.	Ganschow	Latchford	Pincus	Torrance
Catron	Garrett	Lill	Pinnell	Traeger
Chew	Gray	Lindly	Quinn	Trautmann
Clarke	Hamill	Mack	Rinaker	Wall
Corlett	Hogan	McGuire	Shanahan	Woodward
Cruden				Yeas—56.

Those voting in the negative are: Messrs.

Carlstrom	Goodyear	Sutherland	Wolff	Mr. President
Dietz	Mills			Nays—7.

Section 22, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

The Convention proceeding upon the consideration of Report No. 17, of the Committee on Phraseology and Style, on the subject of counties, section 1 was taken up and read at large.

Whereupon Mr. Clarke moved to strike out the figures "1922" and insert in lieu thereof the figures "1926."

And the motion prevailed.

Mr. Barr offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend section 1 by inserting after the word "Assessor" the following words: "and such other officers as may be provided by law."

The question being on the adoption of the amendment a division of the Convention was had, resulting as follows: Yeas, 20; nays, 31.

And the amendment was lost.

Mr. Taff offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend section 1 by striking out the words "in each county there shall be an assessor to be selected as the General Assembly may provide."

And the amendment was lost.

Mr. Barr offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend section 1, line 11, after the word "elected" by inserting the following words: "And in counties of seventy thousand or more population a county auditor may be selected as provided by law."

Mr. Davis moved the previous question on the amendment.

And the question being, "Shall the main question be now put?" it was decided in the affirmative.

The question then being on the adoption of Amendment No. 3, it was decided in the affirmative.

And the amendment was adopted.

Mr. Coolley offered the following amendment and moved its adoption:

AMENDMENT No. 4.

Amend section 1, as amended, by striking out the words "In cities of over 70,000 or more population."

The question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 31; nays, 19.

And the amendment was adopted.

Mr. Taff offered the following amendment and moved its adoption:

AMENDMENT No. 5.

Amend section 1 by striking out the words "a coroner and" in the sixth line thereof.

And the amendment was lost.

Mr. Jarman offered the following amendment and moved its adoption:

AMENDMENT No. 6.

Amend section 1 as follows: Insert after the word "selected" in the amendment adopted, the following words: "In counties of 50,000 population or more."

The question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 21; nays, 17.

And the amendment was adopted.

Mr. Brenholt offered the following amendment and moved its adoption:

AMENDMENT No. 7.

Amend section 1 by providing that in counties over 70,000 a probate clerk may be provided by law.

And the amendment was lost.

The question then being on the adoption of section 1, as amended, a call of the roll was had, resulting as follows: Yeas, 58; nays, 4.

Those voting in the affirmative are: Messrs.

Adams	Cruden	Hull	Mighell	Six
Adamkiewicz	Davis	Ireland	Moore	Smith
Barr	Dawes	Jack	Nichols	Sneed
Brandon	Dunlap	Jarman	Paddock	Sutherland
Brenholt	Dupuy, G. A.	Johnson, L. C.	Parker	Taff
Cary, C. D.	Elting	Johnson, W. A.	Pincus	Tebbens
Carlstrom	Gale	Latchford	Pinnell	Torrance
Catron	Ganschow	Lill	Quinn	Traeger
Chew	Garrett	Lindly	Rinaker	Trautmann
Clarke	Goodyear	Mack	Shanahan	Woodward
Coolley	Gray	McGuire	Shuey	Mr. President
Corlett	Hogan	Meinert		Yeas—58.

Those voting in the negative are: Messrs.

Beckman	Hamill	Mills	Wolff	Nays—4.

Section 1, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 2 was taken up and read at large.

Whereupon Mr. Jarman offered the following amendment and moved its adoption:

AMENDMENT No. 8.

Amend section 2 by striking out the words and figures "1922, three commissioners" and inserting the following: "Three commissioners, one in 1923 and one commissioner every year thereafter and whose term of office shall be three years."

And the amendment was adopted.

The question then being on the adoption of section 2, as amended, a call of the roll was had, resulting as follows: Yeas, 57; nays, 5.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Ireland	Mighell	Six
Adamkiewicz	Dietz	Jack	Mills	Smith
Barr	Dunlap	Jarman	Moore	Sneed
Brenholt	Dupuy, G. A.	Johnson, L. C.	Nichols	Sutherland
Cary, C. D.	Elting	Johnson, W. A.	Paddock	Taff
Carlstrom	Gale	Latchford	Parker	Tebbens
Catron	Ganschow	Lill	Pinnell	Torrance
Chew	Garrett	Lindly	Quinn	Traeger
Clarke	Goodyear	Mack	Rinaker	Trautmann
Corlett	Gray	McGuire	Shanahan	Woodward
Cruden	Hogan	Meinert	Shuey	Mr. President
Davis	Hull			Yeas—57.

Those voting in the negative are: Messrs.

Beckman	Brandon	Coolley	Hamill	Wolff
				Nays—5.

Section 2, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 3 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 60; nays, 2.

Those voting in the affirmative are: Messrs.

Adams	Corlett	Hogan	Meinert	Shuey
Adamkiewicz	Cruden	Hull	Mighell	Six
Barr	Dawes	Ireland	Mills	Smith
Beckman	Dietz	Jack	Moore	Sneed
Brandon	Dunlap	Jarman	Nichols	Sutherland
Brenholt	Dupuy, G. A.	Johnson, L. C.	Paddock	Taff
Cary, C. D.	Elting	Johnson, W. A.	Parker	Tebbens
Carlstrom	Gale	Latchford	Pincus	Torrance
Catron	Ganschow	Lill	Pinnell	Traeger
Chew	Garrett	Lindly	Quinn	Trautmann
Clarke	Goodyear	Mack	Rinaker	Woodward
Coolley	Gray	McGuire	Shanahan	Mr. President

Yeas—60.

Those voting in the negative are: Messrs.

Hamill Wolff

Nays—2.

Section 3, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 4 was taken up and read at large.

Whereupon Mr. Clarke offered the following amendment and moved its adoption:

AMENDMENT No. 9.

Amend section 4 by inserting in lieu thereof the following:

"Section 4. The fees of township and county officers shall be regulated by general and uniform law; and all fees, money, and interest thereon received by any county officer shall be reported semi-annually under oath and then paid into the county treasury."

And the amendment was adopted.

The question then being on the adoption of section 4, as amended, a call of the roll was had, resulting as follows: Yeas, 58; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Corlett	Hogan	Mighell	Smith
Adamkiewicz	Cruden	Hull	Mills	Sneed
Barr	Dawes	Jack	Moore	Sutherland
Beckman	Dunlap	Jarman	Paddock	Taff
Brandon	Dupuy, G. A.	Johnson, L. C.	Parker	Tebbens
Brenholt	Elting	Johnson, W. A.	Pincus	Torrance
Cary, C. D.	Gale	Latchford	Pinnell	Traeger
Carlstrom	Ganschow	Lill	Quinn	Trautmann
Catron	Garrett	Lindly	Rinaker	Woodward
Chew	Goodyear	Mack	Shanahan	Mr. President
Clarke	Gray	McGuire	Shuey	Yeas—58.
Coolley	Hamill	Meinert	Six	Nays—0.

Section 4, having received the votes of a maojrity of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 5 was taken up and read at large.

Whereupon Mr. Clarke offered the following amendment and moved its adoption:

AMENDMENT No. 10.

Amend section 5 by adding after the word "officer" in the second line a comma and the words "except county commissioners."

And the amendment was adopted.

The question then being on the adoption of section 5, as amended, a call of the roll was had, resulting as follows: Yeas, 61; nays, 2.

Those voting in the affirmative are: Messrs.

Adams	Cruden	Gray	Meinert	Shuey
Adamkiewicz	Davis	Hogan	Mighell	Six
Barr	Dawes	Hull	Mills	Smith
Beckman	Dietz	Jack	Moore	Sneed
Brandon	Dunlap	Jarman	Nichols	Sutherland
Brenholt	Dupuy, G. A.	Johnson, L. C.	Paddock	Taff
Cary, C. D.	Elting	Johnson, W. A.	Parker	Tebbens
Carlstrom	Fyke	Latchford	Pincus	Torrance
Catron	Gale	Lill	Pinnell	Traeger
Chew	Ganschow	Lindly	Quinn	Trautmann
Clarke	Garrett	Mack	Rinaker	Woodward
Coolley	Goodyear	McGuire	Shanahan	Mr. President
Corlett				

Yeas—61.

Those voting in the negative are: Messrs.

Hamill Wolff

Nays—2.

Section 5, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 6 was taken up and read at large.

Whereupon Mr. Clarke offered the following amendment and moved its adoption:

AMENDMENT No. 11.

Amend section 6 by inserting after the word "by" in the first part of line 3 the words and figures "Sections 1, 2 and 3 of" and after the word "organization" the word "officers" so that the section will read:

"Section 6. The organization, officers and government of counties as required by sections 1, 2 and 3 of this article may be changed by law uniform as to classes of counties; but any such law shall become effective in a county only after approval by a majority of the voters therein voting on the question."

And the amendment was adopted.

The question then being on the adoption of section 6, as amended, a call of the roll was had, resulting as follows: Yeas, 59; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Corlett	Gray	McGuire	Shanahan
Adamkiewicz	Cruden	Hamill	Meinert	Shuey
Barr	Davis	Hogan	Mighell	Six
Beckman	Dawes	Hull	Mills	Smith
Brandon	Dietz	Jack	Moore	Sneed
Brenholt	Dunlap	Jarman	Nichols	Sutherland
Cary, C. D.	Dupuy, G. A.	Johnson, L. C.	Paddock	Taff
Carlstrom	Elting	Johnson, W. A.	Parker	Tebbens
Catron	Gale	Latchford	Pincus	Torrance
Chew	Ganschow	Lill	Pinnell	Traeger
Clarke	Garrett	Lindly	Quinn	Trautmann
Coolley	Goodyear	Mack	Rinaker	

Yeas—59.

Nays—0.

Answering present but not voting: Mr. Wolff

Present—1.

Section 6, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 7 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 60; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cruden	Hogan	Mighell	Six
Adamkiewicz	Davis	Hull	Mills	Smith
Barr	Dawes	Jack	Moore	Sneed
Beckman	Dietz	Jarman	Nichols	Sutherland
Brandon	Dunlap	Johnson, L. C.	Paddock	Taff
Brenholt	Dupuy, G. A.	Johnson, W. A.	Parker	Tebbens
Cary, C. D.	Elting	Latchford	Pincus	Torrance
Carlstrom	Gale	Lill	Pinnell	Traeger
Catron	Garrett	Lindly	Quinn	Trautmann
Chew	Goodyear	Mack	Rinaker	Woodward
Clarke	Gray	McGuire	Shanahan	Mr. President
Coolley	Hamill	Meinert	Shuey	
Corlett				

Yeas—60.
Nays—0.

Answering present but not voting: Mr. Wolff

Present—1.

Section 7, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 8 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 59; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Corlett	Hogan	Mighell	Six
Adamkiewicz	Cruden	Hull	Mills	Smith
Barr	Dietz	Jack	Moore	Sneed
Beckman	Dunlap	Jarman	Nichols	Sutherland
Brandon	Dupuy, G. A.	Johnson, L. C.	Paddock	Taff
Brenholt	Elting	Johnson, W. A.	Parker	Tebbens
Cary, C. D.	Gale	Latchford	Pincus	Traeger
Carlstrom	Ganschow	Lill	Pinnell	Trautmann
Catron	Garrett	Lindly	Quinn	Wolff
Chew	Goodyear	Mack	Rinaker	Woodward
Clarke	Gray	McGuire	Shanahan	Mr. President
Coolley	Hamill	Meinert	Shuey	

Yeas—59.
Nays—0.

Section 8, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Mr. Brenholt gave notice that on the next Convention day he would move to reconsider the vote by which section 1, of Report No. 17, was adopted.

Mr Gale gave notice that on the next Convention day he would move to reconsider the vote by which section 4, of Report No. 17, was adopted.

Mr. Dunlap called up his motion to reconsider the vote by which section 2, of Report No. 2, of the Committee on Phraseology and Style was adopted, and moved that consideration of the motion to reconsider be postponed.

And the motion prevailed.

Mr. Sutherland called up his motion to reconsider the vote by which section 11, of Report No. 11, on the subject of Revenue, was adopted, and moved that the motion to reconsider lie on the table.

The question being on the motion to table, it was decided in the affirmative.

Section 9 was taken up and read at large.

Whereupon Mr. Corlett moved to amend section 9 by striking out the word "the" before the word "county," in line 4, and inserting in lieu thereof the word "each."

And the motion prevailed.

The question then being on the adoption of section 9, as amended, a call of the roll was had, resulting as follows: Yeas, 58; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Corlett	Hogan	Mighell	Smith
Adamkiewicz	Cruden	Hull	Mills	Sneed
Barr	Dietz	Jack	Moore	Sutherland
Beckman	Dunlap	Jarman	Nichols	Taff
Brandon	Dupuy, G. A.	Johnson, L. C.	Paddock	Tebbens
Brenholt	Elting	Johnson, W. A.	Parker	Traeger
Cary, C. D.	Gale	Latchford	Pinnell	Trautmann
Carlstrom	Ganschow	Lill	Quinn	Wolff
Catron	Garrett	Lindly	Rinaker	Woodward
Chew	Goodyear	Mack	Shanahan	Mr. President
Clarke	Gray	McGuire	Shuey	Yeas—58.
Coolley	Hamill	Meinert	Six	Nays—0.

Section 9, having received the votes of a majority of the Delegates elected, was declared passed, and under the rules was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 10 was taken up and read at large.

Whereupon Mr. McGuire offered the following amendment and moved its adoption:

AMENDMENT No. 12.

Amend section 10 by adding as a separate sentence after the word "election" in the ninth line the words "but when an attempt is made to remove a county seat to a point nearer to the center of the county, then a majority only shall be necessary."

Pending consideration, at the hour of 6:45 o'clock p. m., Mr. Smith moved that the Convention do now adjourn until 9:00 o'clock a. m. tomorrow.

The motion prevailed.

And the Convention stood adjourned.

SATURDAY, APRIL 29, 1922, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. J. C. Brown, of the First Methodist Episcopal Church, of Rushville.

The Journal of Thursday, April 27, having been printed and placed on the desks of the delegates, as provided under the rules, was taken up, and, no corrections appearing, was ordered to stand approved.

In accordance with the resolution adopted April 25, the Secretary called the roll of the Convention, which resulted as follows: Present 62.

Those voting present are: Messrs.

Adams	Cruden	Hamill	Meinert	Shuey
Adamkiewicz	Davis	Hogan	Mighell	Six
Barr	Dawes	Hull	Mills	Smith
Beckman	Dietz	Ireland	Moore	Sneed
Brandon	Dunlap	Jack	Nichols	Taff
Brenholt	Dupuy, G. A.	Jarman	Paddock	Tebbens
Cary, C. D.	Elting	Johnson, L. C.	Parker	Torrance
Carlstrom	Fyke	Johnson, W. A.	Pincus	Traeger
Catron	Gale	Latchford	Pinnell	Trautmann
Chew	Ganschow	Lill	Quinn	Wall
Clarke	Garrett	Lindly	Rinaker	Woodward
Coolley	Goodyear	McGuire	Shanahan	Mr. President
Corlett	Gray			Present—62.

The pending question at the hour of adjournment on yesterday being the consideration of Amendment No. 12, to section 10, of Report No. 17, the same was again taken up.

And the question being on the adoption of Amendment No. 12, it was decided in the affirmative.

The question then being on the adoption of section 10, as amended, a call of the roll was had, resulting as follows: Yeas, 62; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cruden	Hamill	Mighell	Six
Adamkiewicz	Davis	Hogan	Mills	Smith
Barr	Dawes	Hull	Moore	Sneed
Beckman	Dietz	Ireland	Nichols	Taff
Brandon	Dunlap	Jack	Paddock	Tebbens
Brenholt	Dupuy, G. A.	Jarman	Parker	Torrance
Cary, C. D.	Elting	Johnson, L. C.	Pincus	Traeger
Carlstrom	Fyke	Johnson, W. A.	Pinnell	Trautmann
Catron	Gale	Latchford	Quinn	Wall
Chew	Ganschow	Lill	Rinaker	Woodward
Clarke	Garrett	Lindly	Shanahan	Mr. President
Coolley	Goodyear	McGuire	Shuey	Yeas—62.
Corlett	Gray	Meinert		Nays—0.

Section 10, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 11 was taken up and read at large.

Whereupon Mr. Clarke offered the following amendment and moved its adoption:

AMENDMENT No. 13.

Amend section 11 by substituting in lieu thereof the following:

"Section 11. Unless authorized by a majority voting on the question, no county shall levy taxes in excess of three-fourths of one per cent of valuation. But in case the county is made the unit for the levy and collection of taxes for road and bridge purposes, an additional three-fourths of one per cent of valuation for such purposes may be so levied and collected, which may be increased when authorized by a majority of the voters of the county voting on the question."

Mr. Gale offered the following amendment to the amendment, and moved its adoption:

AMENDMENT No. 1 TO AMENDMENT No. 13.

Amend Amendment No. 13 by striking out the words "on the question" and substituting in lieu thereof the words "at the election."

And Amendment No. 1 to Amendment No. 13 was adopted.

The question then being on the adoption of Amendment No. 13, as amended, it was decided in the affirmative.

Mr. Adams offered the following amendment and moved its adoption:

AMENDMENT No. 14.

Amend section 11 by striking out the words "three-fourths" in line 4 and substituting therefor the words "nine-tenths."

And the amendment was lost.

Pending discussion Mr. Jarman moved that further consideration of section 11 be postponed.

And the motion was lost.

The question then being on the adoption of section 11, as amended, a call of the roll was had, resulting as follows: Yeas, 34; nays, 26.

Those voting in the affirmative are: Messrs.

Adams	Davis	Gray	Johnson, W. A.	Rinaker
Cary, C. D.	Dawes	Hamill	Lindly	Shuey
Carlstrom	Dietz	Hogan	McGuire	Six
Chew	Dupuy, G. A.	Hull	Meinert	Sneed
Clarke	Elting	Ireland	Mighell	Taff
Coolley	Fyke	Jack	Mills	Traeger
Cruden	Goodyear	Jarman	Moore	

Yeas—34.

Those voting in the negative are: Messrs.

Adamkiewicz	Corlett	Johnson, L. C.	Pincus	Torrance
Barr	Dunlap	Latchford	Pinnell	Trautmann
Beckman	Gale	Lill	Quinn	Wall
Brandon	Ganschow	Nichols	Smith	Woodward
Brandon	Garrett	Paddock	Tebbens	Mr. President
Catron				

Nays—26.

Section 11, having received the votes of less than a majority of the Delegates elected, failed to pass.

Mr. Nichols gave notice that on the next Convention day he would move to reconsider the vote by which section 11 had failed to pass.

Section 12 was taken up and read at large.

Whereupon Mr. Dunlap moved that section 12 lie on the table.

The motion prevailed.

And section 12 was ordered to lie on the table.

Section 13 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 50; nays, 9.

Those voting in the affirmative are: Messrs.

Adams	Clarke	Fyke	Latchford	Six
Adamkiewicz	Coolley	Ganschow	Lill	Smith
Barr	Corlett	Garrett	Lindly	Sneed
Beckman	Cruden	Gray	McGuire	Tebbens
Brandon	Davis	Hamill	Meinert	Torrance
Brandon	Dawes	Hogan	Paddock	Traeger
Cary, C. D.	Dietz	Hull	Pincus	Trautmann
Carlstrom	Dunlap	Ireland	Quinn	Wall
Catron	Dupuy, G. A.	Jack	Shanahan	Woodward
Chew	Elting	Johnson, L. C.	Shuey	Mr. President

Yeas—50.

Those voting in the negative are: Messrs.

Gale	Jarman	Mills	Pinnell	Taff
Goodyear	Mighell	Nichols	Rinaker	

Nays—9.

Section 13, having received the votes of less than a majority of the Delegates elected, failed to pass.

Mr. Gale gave notice that on the next Convention day he would move to reconsider the vote by which section 13 had failed to pass.

Mr. Hamill also gave notice that on the next Convention day he would move to reconsider the vote by which section 13 had failed to pass.

The Convention proceeding upon the consideration of Report No. 16, of the Committee on Phraseology and Style, on the subject of Cook County, section 1 thereof was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 57; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Corlett	Gray	Meinert	Smith
Adamkiewicz	Davis	Hamill	Mills	Sneed
Barr	Dawes	Hogan	Moore	Taff
Beckman	Dietz	Hull	Nichols	Tebbens
Brandon	Dunlap	Ireland	Paddock	Torrance
Brenholt	Dupuy, G. A.	Jack	Pincus	Traeger
Cary, C. D.	Elting	Jarman	Pinnell	Trautmann
Carlstrom	Fyke	Johnson, L. C.	Quinn	Wall
Catron	Gale	Johnson, W. A.	Shanahan	Woodward
Chew	Ganschow	Latchford	Shuey	Mr. President
Clarke	Garrett	Lill	Six	
Coolley	Goodyear	McGuire		

Yeas—57.
Nays—0.

Answering present but not voting: Messrs.

Lindly	Mighell	Rinaker

Present—3.

Section 1, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 2 was taken up and read at large.

Whereupon Mr. Clarke moved to amend section 2 by striking out the figures "1922" and inserting in lieu thereof the figures "1926."

And the motion prevailed.

The question then being on the adoption of section 2, as amended, a call of the roll was had, resulting as follows: Yeas, 60; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Hamill	Meinert	Six
Adamkiewicz	Dawes	Hogan	Mighell	Smith
Barr	Dietz	Hull	Mills	Sneed
Beckman	Dunlap	Ireland	Moore	Taff
Brandon	Dupuy, G. A.	Jack	Nichols	Tebbens
Brenholt	Elting	Jarman	Paddock	Torrance
Cary, C. D.	Fyke	Johnson, L. C.	Pincus	Traeger
Carlstrom	Gale	Johnson, W. A.	Pinnell	Trautmann
Catron	Ganschow	Latchford	Quinn	Wall
Chew	Garrett	Lill	Rinaker	Woodward
Clarke	Goodyear	Lindly	Shanahan	Mr. President
Coolley	Gray	McGuire	Shuey	Yeas—60.
Corlett				Nays—0.

Section 2, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 3 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 60; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Hamill	Meinert	Six
Adamkiewicz	Dawes	Hogan	Mighell	Smith
Barr	Dietz	Hull	Mills	Sneed
Beckman	Dunlap	Ireland	Moore	Taff
Brandon	Dupuy, G. A.	Jack	Nichols	Tebbens
Brenholt	Elting	Jarman	Paddock	Torrance
Cary, C. D.	Fyke	Johnson, L. C.	Pincus	Traeger
Carlstrom	Gale	Johnson, W. A.	Pinnell	Trautmann
Catron	Ganschow	Latchford	Quinn	Wall
Chew	Garrett	Lill	Rinaker	Woodward
Clarke	Goodyear	Lindly	Shanahan	Mr. President
Coolley	Gray	McGuire	Shuey	Yeas—60.
Corlett				Nays—0.

Section 3, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 4 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 61; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cruden	Hamill	Meinert	Six
Adamkiewicz	Davis	Hogan	Mighell	Smith
Barr	Dawes	Hull	Mills	Sneed
Beckman	Dietz	Ireland	Moore	Taff
Brandon	Dunlap	Jack	Nichols	Tebbens
Brenholt	Dupuy, G. A.	Jarman	Paddock	Torrance
Cary, C. D.	Elting	Johnson, L. C.	Pincus	Traeger
Carlstrom	Fyke	Johnson, W. A.	Pinnell	Trautmann
Catron	Gale	Latchford	Quinn	Wall
Chew	Ganschow	Lill	Rinaker	Woodward
Clarke	Garrett	Lindly	Shanahan	Mr. President
Coolley	Goodyear	McGuire	Shuey	Yeas—61.
Corlett	Gray			Nays—0.

Section 4, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 5 was taken up and read at large.

Whereupon Mr. Clarke offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend section 5 by striking out the word "the" before the word "county" in line 4, and inserting in lieu thereof the word "each."

And the amendment was adopted.

The question then being on the adoption of section 5, as amended, a call of the roll was had, resulting as follows: Yeas, 60; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cruden	Hamill	Meinert	Six
Adamkiewicz	Davis	Hogan	Mighell	Smith
Barr	Dawes	Hull	Mills	Taff
Beckman	Dietz	Ireland	Moore	Tebbens
Brandon	Dunlap	Jack	Nichols	Todd
Brenholt	Dupuy, G. A.	Jarman	Paddock	Torrance
Cary, C. D.	Elting	Johnson, L. C.	Pincus	Traeger
Carlstrom	Fyke	Johnson, W. A.	Pinnell	Trautmann
Catron	Gale	Latchford	Quinn	Wall
Chew	Ganschow	Lill	Rinaker	Woodward
Clarke	Goodyear	Lindly	Shanahan	Mr. President
Coolley	Gray	McGuire	Shuey	Yeas—60.
Corlett				Nays—0.

Section 5, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 6 was taken up and read at large.

Whereupon Mr. Dupuy offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend section 6 by striking out the words "on the question" and inserting in lieu thereof the words "at the election."

And the amendment was lost.

The question then being on the adoption of section 6, a call of the roll was had, resulting as follows: Yeas, 59; nays, 1.

Those voting in the affirmative are: Messrs.

Adams	Corlett	Gray	McGuire	Six
Adamkiewicz	Cruden	Hamill	Meinert	Smith
Barr	Davis	Hogan	Mighell	Sneed
Beckman	Dawes	Hull	Mills	Taff
Brandon	Dietz	Ireland	Moore	Tebbens
Brenholt	Dunlap	Jack	Nichols	Torrance
Cary, C. D.	Elting	Jarman	Paddock	Traeger
Carlstrom	Fyke	Johnson, L. C.	Pincus	Trautmann
Catron	Gale	Johnson, W. A.	Pinnell	Wall
Chew	Ganschow	Latchford	Quinn	Woodward
Clarke	Garrett	Lill	Shanahan	Mr. President
Coolley	Goodyear	Lindly	Shuey	Yeas—59.

Those voting in the negative are: Mr. Rinaker

Nays—1.

Section 6, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 7 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 60; nays, 1.

Those voting in the affirmative are: Messrs.

Adams	Corlett	Goodyear	Lindly	Shuey
Adamkiewicz	Cruden	Gray	McGuire	Six
Barr	Davis	Hamill	Meinert	Smith
Beckman	Dawes	Hogan	Mighell	Sneed
Brandon	Dietz	Hull	Mills	Taff
Brenholt	Dunlap	Ireland	Moore	Tebbens
Cary, C. D.	Dupuy, G. A.	Jack	Nichols	Torrance
Carlstrom	Elting	Jarman	Paddock	Traeger
Catron	Fyke	Johnson, L. C.	Pincus	Trautmann
Chew	Gale	Johnson, W. A.	Pinnell	Wall
Clarke	Ganschow	Latchford	Quinn	Woodward
Coolley	Garrett	Lill	Shanahan	Mr. President

Yeas—60.

Those voting in the negative are: Mr.

Rinaker

Nays—1.

Section 7, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Mr. Gale, in accordance with his notice of yesterday, moved to reconsider the vote by which section 4, of Report No. 17, of the Committee on Phraseology and Style, was adopted.

And the motion prevailed.

Mr. Gale thereupon moved that further consideration of section 4 be postponed.

And the motion prevailed.

Mr. Brenholt, in accordance with his notice of yesterday, moved to reconsider the vote by which section 1, of Report No. 17, of the Committee on Phraseology and Style, was adopted.

And the motion prevailed.

Mr. Brenholt thereupon moved that further consideration of section 1 be postponed.

And the motion prevailed.

The Convention proceeding upon the consideration of Report No. 12, of the Committee on Phraseology and Style, on the subject of Legislative Department, section 13 thereof was again taken up.

The pending question at the time of postponement on April 25, being the consideration of the amendment offered by Mr. Jarman, the same was, by unanimous consent withdrawn.

Whereupon Mr. Jarman offered the following amendment to section 13, and moved its adoption:

AMENDMENT No. 24.

Amend section 13 by striking out all after the figure "13" and inserting in lieu thereof the following:

"Every bill shall be read by title on three different days in each House, but the rules of either House may provide for the reading of bills at greater length on second or third reading. The bill and all amendments thereto (except an amendment striking out the emergency clause) shall be printed before final passage. No bill shall be passed or become a law and no report of any conference committee on an appropriation bill shall be considered unless the bill or report shall have been printed in its final form and placed upon the desks of the members at least three legislative days prior to the final passage of the bill or the consideration of the report. No subject matters shall be included in any conference committee report (on bills making appropriations) except such as directly relate to matters of difference be-

tween the two Houses and such as have been specifically referred to the conference committee. When passed by both Houses a bill shall be signed by the presiding officers thereof and the facts of signing together with the facts of printing and of presentation to the Governor and the date of such presentation shall be entered upon the journals. No act hereafter passed shall embrace more than one subject and that shall be expressed in the title; but any act embracing a subject not expressed in the title shall be void only as to such subject. No act shall be revived by reference to its title only. An act expressly amending an act shall set forth at length the section or sections as amended.

"No appropriation act shall take effect until the first day of July succeeding its enactment, and no other act shall take effect until sixty days after the adjournment of the session at which it was enacted; but in case of emergency (which shall be expressed in the body of the act) the General Assembly may direct otherwise, by a vote of two-thirds of its members elected to each House."

Mr. Shanahan offered the following amendment to the amendment and moved its adoption:

AMENDMENT No. 1 TO AMENDMENT No. 24.

Amend the substitute for section 13, in line 8, by inserting after the word "no" the word "appropriations."

The question being on the adoption of the amendment to the amendment, a division of the Convention was had, resulting as follows: Yeas, 34; nays, 13.

And the amendment to the amendment was adopted.

The question recurring on the adoption of Amendment No. 24, as amended, it was decided in the affirmative.

The question then being on the adoption of section 13, as amended, a call of the roll was had, resulting as follows: Yeas, 58; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cruden	Gray	Meinert	Smith
Adamkiewicz	Davis	Hamill	Mighell	Sneed
Barr	Dawes	Hogan	Mills	Taff
Beckman	Dietz	Hull	Moore	Tebbens
Brandon	Dunlap	Jack	Nichols	Torrance
Brenholt	Dupuy, G. A.	Jarman	Paddock	Traeger
Carlstrom	Elting	Johnson, L. C.	Pinnell	Trautmann
Catron	Fyke	Johnson, W. A.	Quinn	Wall
Chew	Gale	Latchford	Rinaker	Woodward
Clarke	Ganschow	Lill	Shanahan	Mr. President
Coolley	Garrett	Lindly	Shuey	Yeas—58.
Corlett	Goodyear	McGuire	Six	Nays—0.

Section 13, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

The Convention proceeding upon the consideration of Report No. 19, of the Committee on Phraseology and Style, on the subject of Executive Department, section 18 thereof was again taken up.

The pending question at the time of postponement on April 28, being the consideration of Amendment No. 12, as amended, the same was again taken up.

Whereupon Mr. Trautmann offered the following as a substitute for section 18, and the pending amendment, and moved its adoption:

"Section 18. The officers of the Executive Department shall be paid salaries and shall not receive to their own use other compensation; and all

fees, costs, perquisites of office and other compensation received by them shall be paid at once to the State Treasurer.

"No payment of fees, costs or charges, payable by law for services rendered, by or under any officer of the Executive Department shall be held to be legally made until evidenced by the receipt of the State Treasurer.

"The State Treasurer shall as part of each semi-annual report show the daily balances of State funds in his custody and in every bank, safe or other place of deposit, or safe keeping where such funds were during the period covered by such report and accompany the same with the sworn statement of the executive officer of every bank, or other place of deposit so shown, of each and every payment of interest or other compensation, made or to be made by it by reason of the deposit or use of any part of such funds."

And the substitute for section 18 was adopted.

The question then being on the adoption of section 18, as amended, a call of the roll was had, resulting as follows: Yeas, 56; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cruden	Hogan	Mills	Smith
Adamkiewicz	Davis	Hull	Moore	Sneed
Barr	Dawes	Jack	Nichols	Taff
Beckman	Dunlap	Jarman	Paddock	Tebbens
Brandon	Dupuy, G. A.	Johnson, W. A.	Pincus	Torrance
Brenholt	Elting	Latchford	Pinnell	Traeger
Carlstrom	Gale	Lill	Quinn	Trautmann
Catron	Ganschow	Lindly	Rinaker	Wall
Chew	Garrett	McGuire	Shanahan	Woodward
Clarke	Goodyear	Meinert	Shuey	Mr. President
Coolley	Gray	Mighell	Six	Yeas—56.
Corlett	Hamill			Nays—0.

Section 18, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 19 was again taken up.

Whereupon Mr. Gale offered the following as a substitute for section 19, and moved its adoption:

"Section 19. Every officer of this State, or any political subdivision thereof, or municipal corporation therein, who receives public moneys of any sort, fines, fees, costs or perquisites of office, except notaries public and constables, shall make a report thereof, at least semi-annually, under oath, to some official designated by law. Every such officer shall every month pay over to the proper official designated by law all moneys belonging to the public and interest thereon received by or for him."

And the substitute for section 19 was adopted.

The question then being on the adoption of section 19, as amended, a call of the roll was had, resulting as follows: Yeas, 59; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cruden	Gray	Meinert	Six
Adamkiewicz	Davis	Hamill	Mighell	Smith
Barr	Dawes	Hogan	Mills	Sneed
Beckman	Dietz	Hull	Moore	Taff
Brandon	Dunlap	Jack	Nichols	Tebbens
Brenholt	Dupuy, G. A.	Jarman	Paddock	Torrance
Carlstrom	Elting	Johnson, L. C.	Pincus	Traeger
Catron	Fyke	Johnson, W. A.	Pinnell	Trautmann
Chew	Gale	Latchford	Quinn	Wall
Clarke	Ganschow	Lill	Rinaker	Woodward
Coolley	Garrett	Lindly	Shanahan	Mr. President
Corlett	Goodyear	McGuire	Shuey	Yeas—59.
				Nays—0.

Section 19, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

The Convention proceeding upon the consideration of Report No. 12, of the Committee on Phraseology and Style, on the subject of Legislative Departments, section 18 thereof was again taken up.

Whereupon Mr. Clarke offered the following amendment and moved its adoption:

AMENDMENT No. 25.

Amend section 18 by striking out the third paragraph thereof and substituting in lieu of that paragraph the following:

"Bills making appropriations of money out of the treasury shall specify the objects and purposes for which the appropriations are made and appropriate to them respectively their several amounts in distinct items and sections."

And the amendment was adopted.

Mr. Dunlap offered the following amendment and moved its adoption:

AMENDMENT No. 26.

Amend section 18 by adding thereto the following: "The appropriation for the expenses of the office of Governor, Lieutenant Governor, Secretary of State, Attorney General, Treasurer, Auditor of Public Accounts and Superintendent of Public Instruction shall be by separate bills."

And the amendment was adopted.

The question then being on the adoption of section 18, as amended, a call of the roll was had, resulting as follows: Yeas, 55; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cruden	Goodyear	Meinert	Six
Adamkiewicz	Davis	Gray	Mighell	Smith
Barr	Dawes	Hamill	Mills	Sneed
Beckman	Dietz	Hogan	Moore	Taff
Brandon	Dunlap	Hull	Nichols	Tebbens
Brenholt	Dupuy, G. A.	Jack	Paddock	Torrance
Carlstrom	Elting	Jarman	Pinhell	Traeger
Catron	Fyke	Latchford	Quinn	Trautmann
Chew	Gale	Lill	Rinaker	Woodward
Clarke	Ganschow	Lindly	Shanahan	Mr. President
Coolley	Garrett	McGuire	Shuey	
Corlett				

Yeas—55.
Nays—0.

Section 18, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 29 was taken up and read at large.

Whereupon Mr. Dunlap offered the following amendment and moved its adoption:

AMENDMENT No. 27.

Amend section 29, in the special report, by inserting next to the last paragraph, after the words "eminent domain" a comma and the word "taxation."

The question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 13; nays, 27.

And the amendment was lost.

Mr. Taff offered the following amendment and moved its adoption:

AMENDMENT No. 28.

Amend section 29 in the 5th paragraph thereof, by striking out the following words: "In part at the expense of drainage districts and in part by the State or any political subdivision thereof."

Pending consideration, on motion of Mr. Dunlap, further consideration of section 29, together with the pending amendment, was postponed.

Mr. Trautmann called up his motion of March 9, to reconsider the vote by which section 8, of Report No. 9, Bill of Rights, was adopted.

And the question being on the motion to reconsider, it was decided in the affirmative.

Whereupon Mr. Rinaker offered the following as a substitute for section 8, and moved its adoption:

"Section 8. No person shall be held to answer to a criminal offense unless on indictment by a grand jury or (except in capital cases) on information by the Attorney General or the State's Attorney filed by leave of a judge of a court of record having jurisdiction of the offense, in term time or in vacation. If the offense is or may be punishable by imprisonment in the penitentiary, leave to file such information shall be granted only after a hearing showing probably cause.

"This section shall not apply to cases of impeachment, cases arising in the army and navy and in the militia when in actual service in time of war or public danger."

And the substitute for section 8 was adopted.

The question then being on the adoption of section 8, as amended, a call of the roll was had, resulting as follows: Yeas, 55; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cruden	Gray	Meinert	Six
Adamkiewicz	Davis	Hamill	Mighell	Smith
Barr	Dawes	Hogan	Mills	Sneed
Beckman	Dietz	Hull	Moore	Taff
Brandon	Dunlap	Ireland	Nichols	Tebbens
Brenholt	Dupuy, G. A.	Jack	Paddock	Torrance
Carlstrom	Elting	Jarman	Pinnell	Traeger
Catron	Fyke	Latchford	Quinn	Trautmann
Chew	Gale	Lill	Rinaker	Woodward
Clarke	Garrett	Lindly	Shanahan	Mr. President
Coolley	Goodyear	McGuire	Shuey	Yeas—55.
Corlett				Nays—0.

Section 8, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

At the hour of 2:00 o'clock p. m., Mr. Hamill moved that the Convention do now adjourn until Monday, May 1, 1922, at 10:00 o'clock a. m.

The motion prevailed.

And the Convention stood adjourned.

MONDAY, MAY 1, 1922, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Lewis B. Landreth, of the Immaculate Conception Church, of Carthage.

The Journal of Friday, April 28th, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

In accordance with the resolution adopted April 25th, the Secretary called the roll of the Convention, which resulted as follows: Present, 64.

Those voting present are: Messrs.

Adams	Cutting	Gilbert	Lindly	Shanahan
Adamkiewicz	Davis	Goodyear	Mayer	Smith
Barr	Dawes	Green	McEwen	Sneed
Beckman	De Young	Hamill	Meinert	Stahl
Brandon	Dietz	Hogan	Miller	Taff
Brenholt	Dryer	Hull	Mills	Tebbens
Brewster	Dunlap	Iarussi	Moore	Torrance
Carlstrom	Dupee, E. H.	Ireland	Nichols	Trautmann
Catron	Elting	Jack	Paddock	Warren
Clarke	Fyke	Jarman	Parker	Wilson
Coolley	Gale	Johnson, W. A.	Pinnell	Wolff
Corlett	Garrett	Latchford	Quinn	Mr. President
Cruden	Gee	Lill	Rinaker	Present—64.

Mr. Gilbert presented a petition from citizens of Jefferson County, relative to the reading of the Bible in the public schools, which was received and placed on file.

The President, as chairman, laid before the Convention the following report from the Committee on Rules and Procedure, to-wit:

Committee Report.

Your Committee on Rules and Procedure report the following resolution and recommends its adoption:

Resolved, That the following rule limiting debate be adopted, to be known as Rule No. 29½, and to be in force for the remainder of the proceedings of the Convention in disposing of matters on second reading.

Rule No. 29½. Upon the consideration of matters upon second reading the debate shall be limited to ten minutes for each delegate taking part in the debate, except that the mover of the matter pending or the chairman of the committee which reported the same shall have five minutes in addition in which to close the debate.

The question being on the adoption of the report of the committee.

Mr. Hull offered the following amendment to section 29½ and moved its adoption:

Amend section 29½, as proposed, by striking out in line 3 the word "ten" and inserting in lieu thereof the word "twenty," and by striking out in line 6 the word "five" and inserting in lieu thereof the word "ten."

The question being on the adoption of the amendment to section 29½, a division of the Convention was had, resulting as follows: Yeas, 24; nays, 29.

And the amendment was lost.

The question recurring on the adoption of section 29½, as reported by the Committee on Rules and Procedure, a call of the roll was had, resulting as follows: Yeas, 41; nays, 17.

Those voting in the affirmative are: Messrs.

Baldwin	Davis	Hogan	Meinert	Stahl
Barr	Dawes	Iarussi	Nichols	Taff
Beckman	Dupee, E. H.	Ireland	Paddock	Tebbens
Brandon	Gale	Jack	Parker	Torrance
Brewster	Garrett	Jarman	Pinnell	Trautmann
Carlstrom	Gee	Johnson, W. A.	Quinn	Warren
Catron	Green	Latchford	Shanahan	Wilson
Clarke	Hamill	Lill	Smith	Mr. President
Cutting				Yeas—41.

Those voting in the negative are: Messrs.

Adams	Dunlap	Hull	Miller	Rinaker
Brenholt	Elting	Mayer	Mills	Sneed
Corlett	Gilbert	McEwen	Moore	Wolff
De Young	Goodyear			Nays—17.

The report from the Committee on Rules and Procedure, having received the votes of less than a majority of the Delegates elected, failed to pass.

The Convention proceeding upon the consideration of Report No. 6 of the Committee on Phraseology and Style, on the subject of Corporations, section 4 thereof was again taken up.

Whereupon Mr. Parker offered the following amendment and moved its adoption:

AMENDMENT No. 9.

Amend section 4, after the word "stock" in line 7 by inserting the following:

"And in every election for directors of a bank each stockholder may cast in person or by proxy, as many votes as shall equal the number of directors to be elected multiplied by the number of shares owned by him and may cumulate his votes for one candidate or distribute them among several."

And the amendment was adopted.

The question then being on the adoption of section 4, as amended, a call of the roll was had, resulting as follows: Yeas, 60; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Hamill	Meinert	Smith
Adamkiewicz	Dawes	Hogan	Miller	Sneed
Barr	De Young	Hull	Mills	Stahl
Beckman	Dietz	Iarussi	Moore	Taff
Brenholt	Dunlap	Ireland	Nichols	Tebbens
Brandon	Elting	Jack	Paddock	Torrance
Brewster	Fyke	Jarman	Parker	Trautmann
Carlstrom	Gale	Johnson, W. A.	Pinnell	Warren
Catron	Garrett	Latchford	Quinn	Wilson
Clarke	Gee	Lill	Rinaker	Wolff
Corlett	Gilbert	Mayer	Shanahan	Mr. President
Cruden	Goodyear	McEwen		Yeas—60.
Cutting	Green			Nays—0.

Section 4, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 2 was again taken up.

The pending question at the time of postponement on April 26 being the consideration of the amendment offered by Mr. Cutting to substitute section 2, of the report of the Committee of the Whole, for section 2, of the report of the Committee on Phraseology and Style, the same was again taken up.

Whereupon Mr. Gilbert offered the following amendment to the substitute and moved its adoption:

Amend the substitute for section 2 by striking out all after the word and figure "Section 2" and inserting in lieu thereof the following:

"Capital stock may be divided into classes and in every election for directors or managers each stockholder may cast, in person or by proxy, as many votes as shall equal the number of directors to be elected, multiplied by the number of shares owned by him (excluding shares, preferred as to assets and earnings, of restricted or no voting power, the certificates for which show them not entitled then to be voted) and may cumulate his votes for one or distribute them among several."

And the amendment to the substitute was lost.

The question recurring on the adoption of the substitute for section 2, it was decided in the negative.

The question then being on the adoption of section 2, a call of the roll was had, resulting as follows: Yeas, 9; nays, 50.

Those voting in the affirmative are: Messrs.

Brewster	Elting	Jack	Moore	Wolff
Carlstrom	Hull	Jarman	Torrance	

Yeas—9.

Those voting in the negative are: Messrs.

Adamkiewicz	De Young	Goodyear	Mayer	Shanahan
Barr	Dietz	Green	McEwen	Smith
Beckman	Dryer	Hamill	Meinert	Sneed
Brandon	Dunlap	Hogan	Miller	Stahl
Brenholt	Dupee, E. H.	Iarussi	Paddock	Taff
Catron	Fyke	Ireland	Parker	Tebbens
Clarke	Gale	Johnson, W. A.	Pinnell	Trautmann
Corlett	Garrett	Latchford	Quinn	Warren
Cutting	Gee	Lill	Rinaker	Wilson
Davis	Gilbert	Lindly		Mr. President
Dawes				

Nays—50.

Section 2, having received the votes of less than a majority of the Delegates elected, failed to pass.

By unanimous consent Mr. Whitman was excused from attendance at the sessions of the Convention this week, on account of illness.

The Convention proceeding upon the consideration of Report No. 12, of the Committee on Phraseology and Style, on the subject of Legislative Department, section 17 thereof was again taken up.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 63; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cruden	Gee	Mayer	Smith
Adamkiewicz	Cutting	Gilbert	McEwen	Sneed
Barr	Davis	Goodyear	Meinert	Stahl
Beckman	Dawes	Green	Miller	Taff
Brandon	De Young	Hamill	Mills	Tebbens
Brenholt	Dietz	Hogan	Moore	Torrance
Brewster	Dryer	Hull	Nichols	Trautmann
Carey, A. J.	Dunlap	Iarussi	Paddock	Warren
Carlstrom	Dupee, E. H.	Ireland	Parker	Wilson
Catron	Elting	Jack	Pinnell	Wolff
Clarke	Fyke	Johnson, W. A.	Quinn	Mr. President
Coolley	Gale	Latchford	Rinaker	
Corlett	Garrett	Lill	Shanahan	

Yeas—63.

Nays—0.

Section 17, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 18½ was again taken up.

Whereupon Mr. Davis offered the following amendment and moved its adoption:

AMENDMENT No. 29.

Amend section 18½ by striking out the words "contract debts," in lines 1 and 2, and inserting in lieu thereof the words "borrow money."

And the amendment was adopted.

Pending roll call, Mr. Cutting moved that further consideration of section 18½ be postponed.

And the motion prevailed.

Section 19 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 64; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Goodyear	Mayer	Shanahan
Adamkiewicz	Davis	Green	McEwen	Smith
Barr	Dawes	Hamill	Meinert	Sneed
Beckman	De Young	Hogan	Miller	Stahl
Brandon	Dietz	Hull	Mills	Taff
Brenholt	Dryer	Iarussi	Moore	Tebbens
Brewster	Dunlap	Ireland	Nichols	Torrance
Carlstrom	Elting	Jack	Paddock	Trautmann
Catron	Fyke	Jarman	Parker	Warren
Clarke	Gale	Johnson, W. A.	Pearce	Wilson
Coolley	Garrett	Latchford	Pinnell	Wolff
Corlett	Gee	Lill	Quinn	Mr. President
Cruden	Gilbert	Lindly	Rinaker	

Yeas—64.
Nays—0.

Section 19, having received the votes of a maojrity of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

At the hour of 12:35 o'clock p. m., Mr. Hamill moved that the Convention do now take a recess until 2:00 o'clock p. m.

And the motion prevailed.

2:00 O'CLOCK P. M.

The hour of 2:00 o'clock p. m., having arrived, the Convention resumed its session.

The President presiding.

Section 29, of the special report of the Committee on Phraseology and Style, on April 27th, was again taken up.

The pending question at the time of postponement on April 29th being the consideration of Amendment No. 28, the same was, by unanimous consent, withdrawn.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 58; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cruden	Garrett	Lill	Shanahan
Adamkiewicz	Cutting	Gee	Lindly	Smith
Barr	Davis	Gilbert	Mayer	Sneed
Beckman	Dawes	Goodyear	McEwen	Stahl
Brandon	De Young	Green	Miller	Taff
Brenholt	Dietz	Hamill	Mills	Tebbens
Brewster	Dryer	Hogan	Moore	Warren
Carlstrom	Dunlap	Hull	Nichols	Wilson
Catron	Dupee, E. H.	Iarussi	Paddock	Wolff
Clarke	Elting	Jack	Parker	Mr. President
Coolley	Fyke	Jarman	Pinnell	Yeas—58.
Corlett	Gale	Latchford	Rinaker	Nays—0.

Section 29, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 18½ was again taken up.

Mr. Davis moved to reconsider the vote by which Amendment No. 29 was adopted.

And the motion prevailed.

Mr. Davis thereupon, by unanimous consent, withdrew the amendment.

The question then being on the adoption of section 18½, as amended, a call of the roll was had, resulting as follows: Yeas, 57; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Goodyear	Lill	Rinaker
Adamkiewicz	Davis	Gray	Lindly	Shanahan
Barr	Dawes	Green	Mayer	Smith
Beckman	De Young	Hamill	McEwen	Sneed
Brandon	Dietz	Hogan	Miller	Stahl
Brenholt	Dryer	Hull	Mills	Taff
Carlstrom	Dunlap	Iarussi	Moore	Warren
Catron	Fyke	Ireland	Nichols	Wilson
Clarke	Gale	Jack	Paddock	Wolff
Coolley	Garrett	Jarman	Parker	Mr. President
Corlett	Gee	Johnson, W. A.	Pinnell	Yeas—57.
Cruden	Gilbert	Latchford		Nays—0.

Section 18½, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style, for action as provided by Rule 20.

Mr. Dunlap, in accordance with his notice, moved to reconsider the vote by which sections 6 and 7, combined, of Report No. 2, of the Committee on Phraseology and Style, were adopted.

The question being on the motion to reconsider, a division of the Convention was had, resulting as follows: Yeas, 36; nays, 19.

And the motion prevailed.

Mr. Dunlap moved that sections 6 and 7, of the Constitution of 1870, be substituted for sections 6 and 7, combined, as reported by the Committee on Phraseology and Style.

And the motion prevailed.

Section 6, of the Constitution of 1870, was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 54; nays, 5.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Gilbert	Lindly	Pinnell
Barr	Davis	Goodyear	McEwen	Rinaker
Beckman	Dawes	Green	McGuire	Shanahan
Brandon	Dietz	Hogan	Meinert	Shaw
Brenholt	Dryer	Hull	Michal	Smith
Brewster	Dunlap	Ireland	Miller	Stahl
Carlstrom	Dupuy, G. A.	Jack	Mills	Taff
Catron	Fyke	Jarman	Moore	Tebbens
Clarke	Gale	Johnson, W. A.	Nichols	Warren
Coolley	Garrett	Latchford	Paddock	Wolff
Corlett	Gee	Lill	Parker	Mr. President

Yeas—54.

Those voting in the negative are: Messrs.

Adamkiewicz	Hamill	Iarussi	Mayer	Wilson

Nays—5.

Section 6, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style, for action as provided by Rule 20.

Section 7, of the Constitution of 1870, was taken up and read at large.

Whereupon Mr. Green offered the following amendment and moved its adoption:

AMENDMENT No. 5.

Amend section 7, by inserting the word "consumers" after the word "shippers" in line 3.

The question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 27; nays, 33.

And the amendment was lost.

The question then being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 56; nays, 10.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Gee	Lill	Parker
Barr	Davis	Gilbert	Lindly	Pinnell
Beckman	Dawes	Goodyear	McEwen	Rinaker
Brandon	De Young	Green	McGuire	Shanahan
Brenholt	Dietz	Hogan	Meinert	Smith
Brewster	Dunlap	Hull	Mighell	Stahl
Carlstrom	Dupuy, G. A.	Ireland	Mills	Tebbens
Catron	Elting	Jack	Moore	Torrance
Clarke	Fifer	Jarman	Morris	Warren
Coolley	Gale	Johnson, W. A.	Nichols	Wilson
Corlett	Garrett	Kerrick	Paddock	Mr. President
Cruden				

Yeas—56.

Those voting in the negative are: Messrs.

Adamkiewicz	Hamill	Kunde	Mayer	Traeger
Fyke	Iarussi	Latchford	Taff	Wolff

Nays—10.

Section 7, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style, for action as provided by Rule 20.

Mr. Rinaker moved to reconsider the vote by which section 8, of Report No. 9, of the Committee on Phraseology and Style, was adopted on April 29th.

The motion prevailed.

And section 8 was again taken up.

Whereupon Mr. Rinaker offered the following as a substitute for section 8, and moved its adoption:

"Section 8. No person shall be held to answer to a criminal offense, unless on indictment by a grand jury, or (except in capital cases), on information filed by the Attorney General, or by a State's Attorney by leave of a judge of a court of record, having jurisdiction of the offense, either in term time or in vacation, such leave to be granted only after a showing of probable cause.

This section shall not apply to cases of impeachment, cases arising in the army and navy and in the militia when in actual service in time of war or public danger or cases in which the punishment is by fine or by imprisonment otherwise than in the penitentiary."

Mr. Hamill offered the following amendment to the substitute and moved its adoption:

Amend the substitute for section 8 by striking out the following words: "cases of impeachment."

And the amendment to the substitute was lost.

And the question being on the adoption of the substitute it was decided in the affirmative.

The question then being on the adoption of section 8, as amended, a call of the roll was had, resulting as follows: Yeas, 68; nays, 1.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Green	Mayer	Rinaker
Adamkiewicz	De Young	Hamill	McEwen	Shanahan
Barr	Dietz	Hogan	McGuire	Smith
Beckman	Dryer	Hull	Meinert	Sneed
Brandon	Dunlap	Iarussi	Mighell	Stahl
Brenholt	Dupee, E. H.	Ireland	Miller	Taff
Brewster	Dupuy, G. A.	Jack	Mills	Tebbens
Carlstrom	Frole	Jarman	Moore	Traeger
Catron	Fyke	Johnson, W. A.	Morris	Trautmann
Clarke	Gale	Kerrick	Nichols	Warren
Coolley	Garrett	Kunde	Paddock	Wilson
Corlett	Gee	Latchford	Parker	Wolff
Cutting	Gilbert	Lill	Pinnell	Mr. President
Davis	Goodyear	Lindly		Yeas—58.

Those voting in the negative are: Messrs.

Torrance Nays—1.

Section 8, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style, for action as provided by Rule 20.

Mr. Nichols, in accordance with his notice of April 29th, moved to reconsider the vote by which section 11, of Report No. 17, of the Committee on Phraseology and Style, had failed to pass.

The question being on the motion to reconsider, a division of the Convention was had, resulting as follows: Yeas, 43; nays, 13.

The motion prevailed.

And section 11 was again taken up.

The question then being on the adoption of section 11, as amended, a call of the roll was had, resulting as follows: Yeas, 52; nays, 13.

Those voting in the affirmative are: Messrs.

Adams	Dietz	Hamill	Meinert	Shanahan
Adamkiewicz	Dryer	Hogan	Mighell	Sneed
Brandon	Dupuy, G. A.	Ireland	Miller	Taff
Brewster	Elting	Jack	Mills	Tebbens
Carlstrom	Fifer	Jarman	Moore	Torrance
Clarke	Fyke	Johnson, W. A.	Nichols	Trautmann
Coolley	Gale	Kerrick	Paddock	Warren
Cruden	Gee	Lindly	Parker	Wilson
Cutting	Gilbert	Mayer	Pinnell	Wolff
Dawes	Goodyear	McGuire	Rinaker	Mr. President
De Young	Green			Yeas—52.

Those voting in the negative are: Messrs.

Barr	Corlett	Garrett	Lill	Smith
Beckman	Dunlap	Iarussi	McEwen	Stahl
Brenholt	Dupee, E. H.	Kunde		

Nays—13.

Section 11, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style, for action as provided by Rule 20.

Mr. Gale, in accordance with his notice of April 29, moved to reconsider the vote by which section 13, of Report No. 17, of the Committee on Phraseology and Style, had failed to pass.

The motion prevailed.

And section 13 was again taken up.

The question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 69; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Green	Mayer	Shanahan
Adamkiewicz	De Young	Hamill	McEwen	Smith
Barr	Dietz	Hogan	McGuire	Sneed
Beckman	Dryer	Hull	Meinert	Stahl
Brandon	Dunlap	Iarussi	Mighell	Taff
Brenholt	Dupee, E. H.	Ireland	Miller	Tebbens
Brewster	Dupuy, G. A.	Jack	Mills	Torrance
Carlstrom	Elting	Jarman	Moore	Traeger
Catron	Fyke	Johnson, W. A.	Morris	Trautmann
Clarke	Gale	Kerrick	Nichols	Warren
Corlett	Garrett	Kunde	Paddock	Wilson
Cruden	Gee	Latchford	Parker	Wolff
Cutting	Gilbert	Lill	Pinnell	Mr. President
Davis	Goodyear	Lindly	Rinaker	

Yeas—69.
Nays—0.

Section 13, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

The Convention proceeding upon the consideration of Report No. 12, of the Committee on Phraseology and Style, on the subject of Legislative Department, section 23 thereof, having been postponed on April 26, was taken up and read at large.

Whereupon Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 30.

Amend section 23 by inserting after the word "State" in the last line thereof the following: "or to any political division thereof."

And the amendment was adopted.

Pending roll call, on motion of Mr. Gale, further consideration of section 23 was postponed.

Mr. Hamill gave notice that on the next Convention day he would move to reconsider the vote by which section 11, of Report No. 17, of the Committee on Phraseology and Style, was adopted.

Mr. Hamill, in accordance with his motion of March 9, moved to reconsider the vote by which section 19, of Report No. 9, of the Committee on Phraseology and Style, had failed to pass.

The motion prevailed.

And section 19 was again taken up.

The question then being on the adoption of section 19, as amended, a call of the roll was had, resulting as follows: Yeas, 58; nays, 6.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Green	Lindly	Parker
Adamkiewicz	Davis	Hamill	Mayer	Pinnell
Barr	Dawes	Hogan	McEwen	Shanahan
Beckman	De Young	Hull	McGuire	Smith
Brandon	Dunlap	Iarussi	Meinert	Sneed
Brenholt	Dupee, E. H.	Ireland	Mighell	Taff
Carlstrom	Dupuy, G. A.	Jack	Miller	Torrance
Catron	Elting	Jarman	Moore	Trautmann
Clarke	Fifer	Johnson, W. A.	Morris	Wilson
Coolley	Gale	Kerrick	Nichols	Wolff
Corlett	Garrett	Kunde	Paddock	Mr. President
Cruden	Gilbert	Lill		

Yeas—58.

Those voting in the negative are: Messrs.

Brewster	Dryer	Gee	Goodyear	Stahl
Dietz				

Nays—6.

Section 19, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

The Convention proceeding upon the consideration of Report No. 15, of the Committee on Phraseology and Style, on the subject of Home Rule and Zoning, section 8, together with pending Amendment No. 4, was again taken up.

The question being on the adoption of Amendment No. 4.

Mr. Garrett offered the following as a substitute for section 8, and all pending amendments, and moved its adoption:

"Section 8. The General Assembly, in order to promote the general welfare, may authorize cities, villages, and incorporated towns to adopt reasonable regulations governing the use and appearance of land and the location, appearance, size, and use of structures, and to divide their territory into zones to each of which special regulations may be applied. Distinction may be made between conditions existing at the time of the adoption of any such regulations and future conditions. Any statute in force at the time of the adoption of this Constitution (or any ordinance passed in conformity with such statute) which comes within the provisions of this section shall be valid."

And the substitute was adopted.

Mr. Mayer offered the following as a substitute for section 8, as amended, and moved its adoption:

"Section 8. The General Assembly may, for zoning purposes, authorize cities, villages or incorporated towns to adopt regulations to classify, regulate, restrict and limit the height, area, bulk, and use of buildings or structures of any kind in any specified zone or zones. But this power shall not apply nor be exercised with reference to any building, structure or use thereof existing at the time of the adoption of such regulation.

"Nothing herein contained shall be held to restrict or limit any of the police powers of the State nor any of its powers of eminent domain."

Pending discussion, Mr. Wilson moved that further consideration of section 8, together with the pending substitute therefor, be postponed.

And the motion was lost.

The question recurring on the adoption of the substitute for section 8, it was decided in the negative.

Mr. Dupuy offered the following amendment and moved its adoption:

AMENDMENT No. 5.

Amend section 8, as amended, by inserting in line 6, after the word "regulations" the words, "uniform within the zone."

And the amendment was lost.

Mr. Davis offered the following amendment and moved its adoption:

AMENDMENT No. 6.

Amend section 8, as amended, by inserting after the word "conditions" the following:

"No owner of any land or structure shall be prevented by any regulation adopted under any statute hereby authorized, from using such land or structure for any purpose to which it is lawfully devoted at the time of the adoption of any such regulation, unless the continuance of such one might be lawfully prohibited, irrespective of this section."

And the amendment was lost.

Mr. Dietz offered the following amendment and moved its adoption:

AMENDMENT No. 7.

Amend section 8, as amended, by inserting after the word "conditions" the following:

"and such regulations shall not be enforced as to conditions existing at the time of their adoption without payment of just compensation."

And the amendment was adopted.

Mr. Davis offered the following amendment and moved its adoption:

AMENDMENT No. 8.

Amend section 8, as amended, by inserting after the word "compensation" the following:

"unless such regulations might lawfully be so enforced, irrespective of the provisions of this section."

And the amendment was adopted.

Mr. Adams offered the following amendment and moved its adoption:

AMENDMENT No. 9.

Amend section 8, as amended, by striking out the word "appearance" wherever it appears in the section.

And the amendment was lost.

The question then being on the adoption of section 8, as amended, a call of the roll was had, resulting as follows: Yeas, 57; nays, 5.

Those voting in the affirmative are: Messrs.

Barr	Dawes	Green	Mayer	Smith
Beckman	Dietz	Hamill	McEwen	Sneed
Brandon	Dryer	Hogan	McGuire	Stahl
Brenholt	Dunlap	Hull	Meinert	Taff
Carlstrom	Dupee, E. H.	Iarussi	Mighell	Torrance
Catron	Dupuy, G. A.	Ireland	Miller	Traeger
Clarke	Fifer	Jack	Mills	Trautmann
Coolley	Fyke	Jarman	Moore	Warren
Corlett	Gale	Latchford	Morris	Wilson
Cruden	Garrett	Lill	Nichols	Wolff
Cutting	Gilbert	Lindly	Parker	Mr. President
Davis	Goodyear			Yeas—57.

Those voting in the negative are: Messrs.

Adams Adamkiewicz De Young Kunde Tebbens

Nays—5.

Section 8, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style, for action as provided by Rule 20.

At the hour of 6:50 o'clock p. m., Mr. Hamill moved that the Convention do now adjourn until 9:00 o'clock a. m., tomorrow.

The motion prevailed.

And the Convention stood adjourned.

TUESDAY, MAY 2, 1922, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Lewis B. Landreth, of the Immaculate Conception Church, of Carthage.

The Journal of Saturday, April 29th, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

In accordance with the resolution adopted April 25th, the Secretary called the roll of the Convention, which resulted as follows: Present, 81.

Those voting present are: Messrs.

Adams	Dietz	Hamill	McGuire	Shanahan
Adamkiewicz	Dryer	Hogan	Meinert	Smith
Barr	Dunlap	Hull	Michal	Sneed
Beckman	Dupee, E. H.	Iarussi	Mighell	Stahl
Brandon	Dupuy, G. A.	Ireland	Miller	Sutherland
Brenholt	Elting	Jack	Mills	Taff
Brewster	Fifer	Jarman	Moore	Tebbens
Carlstrom	Fyke	Johnson, L. C.	Morris	Torrance
Catron	Gale	Johnson, W. A.	Nichols	Traeger
Clarke	Ganschow	Kerrick	O'Brien	Trautmann
Coolley	Garrett	Kunde	Paddock	Wall
Corlett	Gee	Latchford	Parker	Warren
Cruden	Gilbert	Lill	Pinnell	Wilson
Cutting	Goodyear	Lindly	Revell	Wolff
Davis	Gray	Mayer	Rinaker	Woodward
Dawes	Green	McEwen	Rosenberg	Mr. President
De Young				Present—81.

The Convention proceeding on the order of reports of standing committees:

Mr. Corlett submitted the following report:

STATE OF ILLINOIS

CONSTITUTIONAL CONVENTION.

REPORT OF THE COMMITTEE ON FUTURE AMENDMENT OF THE CONSTITUTION.

YOUR COMMITTEE ON FUTURE AMENDMENT OF THE CONSTITUTION, TO WHICH WAS REFERRED ARTICLE 14 OF THE PRESENT CONSTITUTION, AND PROPOSALS NUMBERED 90, 93, 210, 242 AND 280, RESPECTFULLY REPORTS THAT IT HAS CAREFULLY CONSIDERED ARTICLE 14, AND THE SEVERAL PROPOSALS ABOVE ENUMERATED, AND HEREWITH SUBMITS ITS REPORT AND RECOMMENDS THAT THE ABOVE ENUMERATED PROPOSALS AND EACH THEREOF BE REJECTED, AND THAT THE FOLLOWING SHALL BE ADOPTED AS A

SUBSTITUTE FOR ARTICLE 14 AND SAID PROPOSALS, AND THAT THE SAME SHALL BECOME A PART OF THE CONSTITUTION:

AMENDMENTS TO THE CONSTITUTION.

SECTION 1. Whenever two-thirds of the members of each House of the General Assembly shall, by a vote entered upon the journals thereof, concur that a Convention is necessary to revise, alter or amend the Constitution, the question shall be submitted to the electors at the next general election. If a majority voting at the election vote for a Convention, the General Assembly shall, at the next session, provide for a Convention, to consist of double the number of members of the Senate, to be elected in the same manner, at the same places, and in the same districts. The General Assembly shall, in the act calling the Convention, designate the day, hour and place of its meeting, fix the pay of its members and officers, and provide for the payment of the same, together with the expenses necessarily incurred by the Convention in the performance of its duties. Before proceeding the members shall take an oath to support the Constitution of the United States, and of the State of Illinois, and to faithfully discharge their duties as members of the Convention. The qualification of members shall be the same as that of members of the Senate, and vacancies occurring shall be filled in the manner provided for filling vacancies in the General Assembly. Said Convention shall meet within three months after such election, and prepare such revision, alteration or amendments of the Constitution as shall be deemed necessary, which shall be submitted to the electors for their ratification or rejection, at an election appointed by the Convention for that purpose, not less than two nor more than six months after the adjournment thereof; and unless so submitted and approved, by a majority of the electors voting at the election, no such revision, alteration or amendments shall take effect.

SECTION 2. Amendments to this Constitution may be proposed in either House of the General Assembly, and if the same shall be voted for by two-thirds of all the members elected to each of the two Houses, such proposed amendments, together with the yeas and nays of each House thereon, shall be entered in full on their respective journals, and said amendments shall be submitted to the electors of this State for adoption or rejection, at the next election of members of the General Assembly, in such manner as may be prescribed by law. The proposed amendments shall be published in full at least three months preceding the election, and if a majority of the electors voting at said election shall vote for the proposed amendments, they shall become a part of this Constitution. But the General Assembly shall have no power to propose amendments to more than two articles of this Constitution at the same session, nor to the same articles oftener than once in four years.

Respectfully submitted,

JOSEPH W. FIFER, *Chairman*,
EDWARD CORLETT,
C. B. T. MOORE,
G. GALE GILBERT,
H. E. TORRANCE,
C. A. SHUEY,
ALEXANDER H. REVELL.

The report of the committee was ordered printed and the proposal placed on the order of second reading.

The Convention proceeding upon the consideration of Report No. 12, of the Committee on Phraseology and Style, on the subject of Legislative Department, section 23 thereof was again taken up.

Whereupon Mr. Gale offered the following amendment and moved its adoption:

AMENDMENT No. 31.

Amend section 23, as amended, by adding at the end thereof the following:

"And no statute of limitation, barring any action on such indebtedness, liability or obligation, shall begin to run in favor of any public officer until an official audit of his accounts has been made, as shall be provided by law."

And the amendment was adopted.

The question then being on the adoption of section 23, as amended, a call of the roll was had, resulting as follows: Yeas, 77; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dryer	Hogan	Meinert	Smith
Baldwin	Dunlap	Hull	Michal	Sneed
Barr	Dupee, E. H.	Iarussi	Mighell	Stahl
Beckman	Dupuy, G. A.	Ireland	Mills	Sutherland
Brenholt	Elting	Jack	Moore	Taff
Brewster	Fifer	Jarman	Morris	Torrance
Carlstrom	Fyke	Johnson, L. C.	Nichols	Traeger
Catron	Gale	Johnson, W. A.	O'Brien	Trautmann
Clarke	Ganschow	Kerrick	Paddock	Wall
Coolley	Garrett	Kunde	Parker	Warren
Corlett	Gee	Latchford	Pinnell	Wilson
Cruden	Gilbert	Lill	Revell	Wolff
Cutting	Goodyear	Lindly	Rinaker	Woodward
Davis	Gray	Mayer	Rosenberg	Mr. President
Dawes	Green	McEwen	Shanahan	Yeas—77.
De Young	Hamill	McGuire		Nays—0.

Section 23, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style, for action as provided by Rule 20.

The Convention proceeding upon the consideration of Report No. 9, of the Committee on Phraseology and Style, on the subject of Bill of Rights, section 20 thereof was again taken up.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 63; nays, 8.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Gilbert	Meinert	Smith
Adamkiewicz	De Young	Goodyear	Mighell	Sneed
Barr	Dietz	Gray	Mills	Stahl
Beckman	Dryer	Green	Moore	Sutherland
Brandon	Dunlap	Hogan	Morris	Taff
Brenholt	Dupuy, G. A.	Ireland	Nichols	Tebbens
Brewster	Elting	Jack	Paddock	Torrance
Carlstrom	Fifer	Johnson, W. A.	Parker	Trautmann
Clarke	Fyke	Kerrick	Pinnell	Wall
Coolley	Gale	Kunde	Revell	Warren
Corlett	Ganschow	Lill	Rinaker	Woodward
Cruden	Garrett	Mayer	Shanahan	Mr. President
Cutting	Gee	McGuire		Yeas—63.

Those voting in the negative are: Messrs.

Hamill	McEwen	O'Brien	Traeger	Wolff
Latchford	Michal	Rosenberg		Nays—8.

Section 20, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

The Convention proceeding upon the consideration of Report No. 4, of the Committee on Phraseology and Style, on the subject of Education, section 4 thereof was again taken up.

Whereupon Mr. Clarke offered the following amendment and moved its adoption:

AMENDMENT No. 4.

Amend section 4 by striking out after the figure 4 the words "except in payment of rent or purchase price or for the hospital care of the sick when only a sectarian hospital is available" and insert the words "except in payment of temporary rent or temporary hospital service or purchase price," so that the section will read:

"Section 4. Except in payment of temporary rent or temporary hospital service or purchase price, no public money shall be paid or other public property be given or applied for any sectarian purpose or to any institution controlled by a church or sect."

And the amendment was adopted.

Mr. Cutting offered the following amendment and moved its adoption:

AMENDMENT No. 5.

Amend section 4, as amended, by inserting after the word "price" in line 2, the following:

"or of not to exceed the cost of maintaining and supporting during their terms of commitment persons comitted by courts of competent jurisdiction to institutions or agencies not conducted by the State but under public inspection."

The question being on the adoption of the amendment, on demand of five Delegates, a call of the roll was had, resulting as follows: Yeas, 44; nays, 39.

Those voting in the affirmative are: Messrs.

Adamkiewicz	Davis	Green	McGuire	Sneed
Barr	Dawes	Hamill	Meinert	Sutherland
Brenholt	Dupee, E. H.	Hogan	Michal	Tebbens
Carlstrom	Dupuy, G. A.	Iarussi	Miller	Traeger
Catron	Fifer	Kunde	Morris	Wall
Clarke	Fyke	Latchford	O'Brien	Wilson
Coolley	Ganschow	Lindly	Paddock	Woodward
Corlett	Garrett	Mack	Rosenberg	Mr. President
Cutting	Gilbert	McEwen	Shanahan	Yeas—44.

Those voting in the negative are: Messrs.

Adams	Dunlap	Jack	Mills	Smith
Beckman	Elting	Jarman	Moore	Stahl
Brandon	Gale	Johnson, L. C.	Nichols	Taff
Brewster	Goodyear	Johnson, W. A.	Parker	Torrance
Chew	Gray	Kerrick	Pinnell	Trautmann
De Young	Hollenbeck	Lill	Revell	Warren
Dietz	Hull	Mayer	Rinaker	Wolff
Dryer	Ireland	Mighell	Shuey	Nays—39.

And the amendment was adopted.

Mr. Green offered the following amendment and moved its adoption:

AMENDMENT No. 6.

Amend section 4, as amended, by inserting after the word "of" and before the word "maintaining" the word "temporarily."

And the amendment was adopted.

Mr. Rinaker offered the following amendment and moved its adoption:

AMENDMENT No. 7.

Amend section 4, as amended, by adding at the end thereof the following:

"No institutions which are controlled, directly or indirectly, in whole or in part, by any church or sect, which are not under full and frequent

public inspection, and none which have not, prior to January 1, 1922, received public funds in any manner herein mentioned, shall be held to be within those terms of any clause of this section permitting payment to such institutions, and, as rapidly as similar institutions are provided at public expense, they shall be exclusively recognized and used to the extent of their capacity, and payments to any similar non-public institutions shall cease."

Pending discussion, at the hour of 12:35 o'clock p. m., Mr. Rinaker moved that the Convention do now take a recess until 2:00 o'clock p. m.

And the motion prevailed.

2:00 o'Clock P. M.

The hour of 2:00 o'clock p. m., having arrived, the Convention resumed its session.

The President presiding.

The pending question at the hour of taking a recess being the consideration of Amendment No. 7, to section 4, of Report No. 4, the same was again taken up.

The pending question being on the adoption of the amendment offered by Mr. Rinaker, a division of the Convention was had, resulting as follows: Yeas, 31; nays, 28.

And the amendment was adopted.

Pending roll call, Mr. Dunlap moved that further consideration of section 4 be postponed.

The question being on the motion to postpone, a division of the convention was had, resulting as follows: Yeas, 40; nays, 39.

And the motion prevailed.

The Convention proceeding upon the consideration of Report No. 17, of the Committee on Phraseology and Style, on the subject of Counties, section 4 thereof was again taken up.

Whereupon Mr. Gale offered the following amendment and moved its adoption:

Amendment No. 15.

Amend section 4, by striking out all of the section after the word "law," in line 3.

And the amendment was adopted.

The question then being on the adoption of section 4, as amended, a call of the roll was had, resulting as follows: Yeas, 80; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dryer	Hollenbeck	Mighell	Smith
Adamkiewicz	Dunlap	Hull	Miller	Sneed
Barr	Dupee, E. H.	Iarussi	Mills	Stahl
Brandon	Dupuy, G. A.	Ireland	Moore	Sutherland
Brenholt	Elting	Jack	Morris	Taff
Brewster	Fyke	Jarman	Nichols	Tebbens
Carlstrom	Gale	Johnson, L. C.	O'Brien	Torrance
Catron	Ganschow	Johnson, W. A.	Paddock	Traeger
Chew	Garrett	Kerrick	Parker	Trautmann
Clarke	Gee	Kunde	Pinnell	Wall
Coolley	Gilbert	Latchford	Quinn	Warren
Corlett	Goodyear	Lill	Revell	Wilson
Cruden	Gray	Lindly	Rinaker	Wolff
Cutting	Green	Mayer	Rosenberg	Woodward
Dawes	Hamill	McGuire	Shanahan	Mr. President
De Young	Hogan	Meinert	Shuey	Yeas—80.
Dietz				Nays—0.

Section 4, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style, for action as provided by Rule 20.

Mr. Gale moved to suspend the rules for the purpose of reconsidering the vote by which section 4, of article 16, was adopted on April 29th.

And the motion prevailed.

Mr. Gale thereupon moved that the vote by which section 4 was adopted be reconsidered.

The motion prevailed.

And section 4 was again taken up.

Whereupon Mr. Gale moved to amend section 4 by striking out all of the section after the word "law" in line 3.

And the motion prevailed.

The question then being on the adoption of section 4, as amended, a call of the roll was had, resulting as follows: Yeas, 78; nays, 3.

Those voting in the affirmative are: Messrs.

Adams	De Young	Hogan	McGuire	Shanahan
Barr	Dietz	Hollenbeck	Meinert	Shuey
Beckman	Dryer	Hull	Michal	Smith
Brandon	Dunlap	Iarussi	Mighell	Stahl
Brenholt	Dupee, E. H.	Ireland	Miller	Sutherland
Brewster	Dupuy, G. A.	Jack	Mills	Taff
Carlstrom	Elting	Jarman	Moore	Tebbens
Catron	Fyke	Johnson, L. C.	Morris	Torrance
Chew	Gale	Johnson, W. A.	Nichols	Traeger
Clarke	Ganschow	Kerrick	Paddock	Trautmann
Coolley	Garrett	Kunde	Parker	Wall
Corlett	Gee	Lill	Pinnell	Warren
Cruden	Gilbert	Lindly	Quinn	Wilson
Cutting	Goodyear	Mack	Revell	Woodward
Davis	Gray	Mayer	Rinaker	Mr. President
Dawes	Green	McEwen		Yeas—78.

Those voting in the negative are: Messrs.

Adamkiewicz	Latchford	O'Brien	Nays—3.

Section 4, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

The Convention proceeding upon the consideration of Report No. 14, of the Committee on Phraseology and Style, on the subject of Land Credits, the same was taken up and read at large.

Whereupon Mr. Clarke offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend Report No. 14, by striking out the word "or" in line 10 and inserting in lieu thereof the word "and."

And the amendment was adopted.

The question then being on the adoption of Report No. 14, as amended, a call of the roll was had, resulting as follows: Yeas, 51; nays, 33.

Those voting in the affirmative are: Messrs.

Adams	Dunlap	Hogan	Mack	Parker
Barr	Dupee, E. H.	Hollenbeck	McEwen	Pinnell
Beckman	Elting	Hull	McGuire	Quinn
Brandon	Fifer	Jack	Meinert	Shuey
Brenholt	Gale	Jarman	Mighell	Sneed
Catron	Garrett	Johnson, L. C.	Miller	Stahl
Chew	Gee	Johnson, W. A.	Mills	Torrance
Clarke	Gilbert	Kerrick	Moore	Trautmann
Coolley	Goodyear	Lill	Nichols	Warren
Corlett	Gray	Lindly	Paddock	Wolff
Dryer				

Yeas—51.

Those voting in the negative are: Messrs.

Adamkiewicz	Dietz	Kunde	Rinaker	Tebbens
Brewster	Dupuy, G. A.	Latchford	Rosenberg	Traeger
Carlstrom	Ganschow	Mayer	Shanahan	Wall
Cutting	Green	Michal	Smith	Wilson
Davis	Hamill	Morris	Sutherland	Woodward
Dawes	Iarussi	O'Brien	Taff	Mr. President
De Young	Ireland	Revell		

Nays—33.

Report No. 14, having received the votes of less than a majority of the Delegates elected, failed to pass.

The Convention proceeding on the order of reports of standing committees.

Mr. Clarke submitted the following report:

Report No. 8.

YOUR COMMITTEE ON PHRASEOLOGY AND STYLE, TO WHICH WAS REFERRED A PROPOSAL ENTITLED CHICAGO AND COOK COUNTY (INTRODUCTION NO. 385, REFERENCE NO. 17); AS AMENDED IN COMMITTEE OF THE WHOLE, RESPECTFULLY REPORTS THAT IT HAS CONSIDERED SUCH PROPOSAL, AND HEREWITH SETS FORTH IN PARALLEL COLUMNS ARTICLE I OF SAID PROPOSAL AS ADOPTED IN COMMITTEE OF THE WHOLE ON THE LEFT, AND A SUBSTITUTE THEREFOR AS RECOMMENDED BY THIS COMMITTEE ON THE RIGHT.

RESOLVED, *That the following shall become a part of the Constitution of Illinois:*

Section 1. Except as expressly limited by law the City of Chicago is hereby granted and declared to possess full and complete powers of local self-government and corporate action for all municipal purposes. The city may assess and collect taxes and borrow money for corporate purposes only as authorized by law.	Section 1. Except as expressly prohibited by law, the City of Chicago is hereby declared to possess, for all municipal purposes, full and complete power of local self-government and corporate action. This grant of power shall be liberally construed and no power shall be denied the city by reason of not being specified in any present or future law. The city, however, may impose taxes and borrow money only as authorized by law. Until otherwise provided by the city charter, the powers heretofore granted the city shall be preserved and exercised in accordance with law

and the additional power granted by this section shall be exercised by, or in accordance with city ordinances.

Section 2. Charter Convention. The legislative authority of the City of Chicago may provide for the calling of an elective convention to frame a city charter, or to amend any existing charter, and the power hereby granted shall be a continuing power. The question whether a Convention shall be called shall be submitted at an election held prior to the election for delegates. The charter framed by the Convention and all amendments thereof, proposed as provided therein, shall be submitted to and adopted by the voters of the city in the manner provided by the Convention. The election laws of the State and the powers and duties existing threunder may, by the legislative authority of the city, or by the Convention, be made available for the purpose of the charter. The General Assembly may enact further election laws in aid of this section.

Provisions of the charter, or of amendments of or additions to the charter, or ordinances passed in pursuance thereof, which relate to the organization of the government of the city, to the distribution of powers among its official agencies or to the tenure and compensation of its officials shall prevail over the statutes of the State in conflict therewith. In other matters the charter or ordinances passed thereunder shall conform to the State law.

A certified copy of said charter or any amendment thereto shall be filed with the Secretary of State within thirty days after its adoption by referendum vote and shall not take effect until so filed.

Rates of compensation, as well as conditions of appointment and promotion in the civil service of the city shall be determined according to a general plan, which shall recognize merit and fitness as controlling principles.

Section 2. The legislative authority of the City of Chicago, from time to time, and after approval of the proposition at an election in such manner as it may provide, may call an elective convention to frame a new city charter or to revise or amend any existing charter. The proposals of any such convention shall be submitted to the voters for adoption in the manner provided by it. Subsequent amendments may also be proposed and submitted to the voters in such manner as the charter may provide. State election laws and the powers and duties existing thereunder shall be available for the purposes of this section.

The charter so framed, revised or amended and ordinances passed thereunder shall prevail over State laws so far as the organization of the City Government, the distribution of powers among its official agencies, and the tenure and compensation of its officers, and employees are concerned.

Rates of compensation as well as conditions of appointment and promotion in the classified civil service of the city shall be determined according to a general plan which shall recognize merit and fitness as controlling principles.

Section 3. Eminent Domain. The City of Chicago shall have power to condemn private property (including public utilities and the privileges or licenses held in connection therewith) for public use in accordance

Section 3. In the exercise of the power of eminent domain by the City of Chicago, public utilities and their privileges and licenses shall be deemed private property.

with law. The power to condemn property lying outside of the corporate limits shall be determined by law.

Section 4. Public Utilities. The power of the city to own, acquire, construct, operate or let or lease for operation public utilities, or to sell the same or the product or service thereof, shall not be denied by law, but may be reasonably regulated by general law.

Section 4. The City of Chicago, subject to reasonable regulation by general law, may own, acquire, construct, operate, sell, pledge, lease or let public utilities, or buy or sell the service thereof.

Section 5. The city shall be authorized to join with any other municipality, in such manner as may be provided by law, for the joint construction of local improvements, public utilities or other local services.

Section 5. (Omitted. Taken care of by amendment to Section 11, of Revenue Article.)

Section 6. Special Legislation and Local Consent. The General Assembly may enact local or special laws relating to the governmental affairs of the City of Chicago, but such laws shall not become effective until consented to by the city. A law which at the time of its enactment is applicable to the governmental affairs of no other city than the City of Chicago shall be deemed a local or special law.

Section 6. (No change suggested.)

Section 7. The consent of the city shall also be required for the creation or for the enlargement of any municipal corporation (other than a county) exercising taxing powers in any part of the City of Chicago or for the increase of the taxing powers of any such municipal corporation hereafter created or enlarged.

Section 8. The consent of the City of Chicago shall be required for the creation, enlargement or consolidation of any municipal corporation (except a county) exercising taxing powers within the city or for any increase of the taxing powers of any such municipal corporation hereafter created or enlarged. No ordinance expressing consent to the creation, enlargement or consolidation of any municipal corporation shall take effect until ninety days after its enactment, and if within that time either 5,000 voters or one-third of the legislative authority of the city petition that body to submit the question at an election the ordinance shall not take effect until approved by a majority of those voting on the question.

Section 8. The consent of the city, whenever required by this Constitution, shall be expressed by ordinance, and the General Assembly, the city council or the charter may,

Section 7. The consent of the city whenever required by this article shall be expressed by ordinance, but the General Assembly, the city charter or the ordinance may prescribe

in addition, require the submission of the proposition to the voters of the city. Any ordinance consenting to the creation, enlargement or consolidation of taxing bodies as provided in this article shall not take effect until ninety days after its enactment, and if within that period either one-third of the members of the legislative authority of the city or five thousand voters demand its submission to popular vote, it shall not take effect until submitted to the voters in accordance with law and approved by a majority of those voting upon the question.

Section 9. Consolidation. Municipalities Wholly Within the City and Overlapping Townships. The charter framed by an elective convention as herein authorized, may provide for the consolidation (in whole or in part) with the City of Chicago, of any or all of the municipal corporations and local governments, boards or authorities exercising taxing powers or any powers of government confined to the territory now or hereafter embraced within the limits of the City of Chicago. The charter so framed may also provide that where any township embraces territory partly within and partly without the present or future limits of the city, the part within the city shall be detached from such township and consolidated with the city. Any municipal corporation, local government, board or authority consolidated with the city shall be abolished and the city shall assume all the debts and liabilities and succeed to all the rights and property thereof. In case township government shall be consolidated with the city, the powers of township officers, insofar as they relate to the collection of taxes, shall be exercised by the county treasurer, until otherwise provided by law.

in addition approval of the ordinance by the voters.

Sections 9, 10 and 11. The charter framed, revised or amended under section two of this article may provide:

(a) For the consolidation with the City of Chicago of any or all local governments or other authorities (in whole or in part) now or hereafter exercising powers confined to the city limits; and also of that part of any township (partly within and partly without the city) now or hereafter lying within the city limits. After consolidation with the city of any township (or part thereof) the powers of all officers therein relating to collection of taxes shall be exercised by the county treasurer until otherwise provided by law.

(b) For the consolidation with the City of Chicago of the Sanitary District of Chicago and the Forest Preserve District of Cook County, or either of them. No consolidation of either of said districts shall take effect until approved at an election by a majority of those voting on the question both in the district and in the city. The question of consolidation of either district shall be submitted to the voters thereof as a separate proposition, and the election officials responsible for conducting elections therein shall submit the question in the manner provided by the charter. The city shall exercise no taxing power outside its limits by virtue of consolidating either district. Upon consolidation of the Sanitary District with the City of Chicago, and until otherwise provided by law, the city shall furnish without charge sewage disposal service beyond its limits in the district, to the extent then furnished by the district; and the city may be required by law to furnish

at cost, additional increased sewage disposal service in such territory.

All duties or obligations imposed by law at the time of such consolidation for the benefit of the inhabitants of such territory, or any part thereof, upon the city or the sanitary district with respect to other forms of service shall be assumed by the city unless it is relieved therefrom by the General Assembly.

Any authority consolidated with the City of Chicago under this section shall be abolished and the city shall succeed to all the powers, property and liabilities thereof. If any consolidation proposed under this section fails to be approved at any election, the question may be resubmitted from time to time in the manner provided by the charter.

Section 10. Consolidation of Sanitary District and of Forest Preserve District. The charter may also provide for the consolidation of the government of the sanitary district of Chicago and of the forest preserve district of Cook county, or of either, with the government of the City of Chicago. Such consolidation shall, as regards each of said districts, be submitted as a separate proposition to the voters of the entire district and shall not become effective unless the vote in its favor shall be cast by a majority of the voters of the district as well as by a majority of the city, viting upon the question. The charter shall prescribe the manner and fix the time of submitting such proposition to a vote. If such proposition shall fail to be approved at any election, it may thereafter be resubmitted from time to time in such manner as the charter may prescribe. It shall be the duty of all election officials responsible for conducting elections within either of said districts or any part thereof, to submit such proposition to the voters thereof in accordance with the provisions of the charter.

Upon such consolidation becoming effective, the title to and the control and management of all the property then held by the district thus consolidated shall be vested in the city, and the city shall have all powers and assume all debts and liabilities of the district, but snall exercise no

taxing powers over territory outside of the city limits by virtue of such consolidation.

The word "charter," as used in this section and the preceding section, shall be construed to include any amendment thereof and the power of consolidation hereby granted shall be deemed to be a continuing power.

Section 11. After consolidation of the sanitary district and until otherwise provided by law, the city shall continue to furnish to the inhabitants of the territory within the district as constituted at the time of the consolidation, but lying beyond the present or future limits of the city, without cost or expense to them or to the municipalities within such territory, sewage disposal service to the extent furnished to them by the district at that time. The General Assembly shall have no power to enlarge the obligation thereby assumed by the city except to require the city to furnish to the inhabitants of the municipalities in such territory, or any part thereof, at their own cost and expense additional or increased service for sewage disposal purposes. All duties or obligations imposed by law at the time of such consolidation for the benefit of the inhabitants of such territory, or any part thereof, upon the city or sanitary district with respect to other forms of service shall be assumed by the city unless it shall be relieved therefrom by the General Assembly.

Section 12. Tax Rate After Consolidation. After consolidation in whole or in part, and until a new tax rate shall have been established by law, the city may levy, in addition to the annual general tax on the property then authorized to be levied, an annual tax equal to the amount of the taxes caused to be extended upon the collector's warrants in the year last preceding the consolidation by the taxing authorities so consolidated with the city.

Section 13. Park Consolidation Act Preserved. The foregoing provisions concerning consolidation shall not affect the right of the city, acting through the city council, or otherwise, to avail itself of the provisions

Section 12. After any consolidation authorized by the foregoing section has taken effect, and until a new tax rate is fixed by law, the City of Chicago may levy an additional annual tax equal to the amount of taxes caused to be extended by the authority so consolidated upon the collector's warrants in the year last preceding consolidation.

Section 13. The rights of the City of Chicago under the Act for the Consolidation of Local Governments, approved June 29, 1915, or any amendment thereof, are not affected by this article.

of an Act entitled "An Act to consolidate in the government of the City of Chicago the powers and functions now vested in local governments and authorities within the territory of said city and to make provision concerning the same," approved June 29th, 1915, or any amendment thereof.

Section 14. Legislative Consolidation. The General Assembly may provide additional or alternative methods for the consolidation of local governments with the City of Chicago, subject to the consent of the city.

Section 14. The General Assembly may provide other methods for consolidating local authorities with the City of Chicago, subject to its consent.

Section 15. Debt Limit After Consolidation. The City of Chicago, in the event of any one or more of the municipal corporations lying wholly or partly within said city becoming consolidated therewith, and in the event of said city becoming liable for the indebtedness of any such municipal corporations, may become indebted to an amount (including its existing indebtedness and the indebtedness of all municipal corporations lying wholly within the limits of said city, and said city's proportionate share of the indebtedness of the County of Cook, the Forest Preserve District of Cook County, and the Sanitary District of Chicago) in the aggregate not exceeding 5 per centum of the full value of the taxable property within its limits as ascertained by the last assessment for State and county taxes previous to the incurring of such indebtedness, but no new bonded indebtedness (other than for refunding purposes) shall be incurred until the proposition therefor shall be consented to by a majority of the legal voters of said city voting upon the question. The city's proportionate share of the indebtedness of the County of Cook and of other municipal corporations herein named shall bear the same ratio of the entire indebtedness thereof as the value of the taxable property of such municipal corporations within the city bears to the value of the entire taxable property of such municipal corporations as ascertained by the last assessment for State and county purposes.

Section 15. After any consolidation authorized by this article has taken effect, the City of Chicago may become indebted in the aggregate up to 5 per cent of the full value of the taxable property therein as ascertained by the last assessment for State and county taxes previous to incurring the debt. In computing such aggregate amount there shall be included the existing indebtedness of the city, and of all municipal corporations within the city, and also the city's proportionate share (determined according to valuation of taxable property) of the existing indebtedness of all municipal corporations partly within and partly without the city.

SUGGESTED AS A SUBSTITUTE FOR SECTION 15.

The City of Chicago may become indebted in the aggregate up to 5 per cent of the full value of the taxable property therein as ascertained by the lost assessment for State and county taxes previous to incurring the debt. In computing such aggregate amount there shall be included in the indebtedness of the city, the then existing indebtedness of all municipal corporations within the city, and the city's proportionate share (determined according to valuation of taxable property) of the then existing indebtedness of all municipal corporations (except the County of Cook) partly within and partly without the city. No municipal corporation wholly or partly within the city (except the County of Cook) shall

hereafter have its indebtedness increased without the city's consent.

Section 15½. The City of Chicago shall incur no new bonded indebtedness (except for refunding purposes) without the approval at an election of a majority of those voting on the question.

Section 16. No municipal corporation hereafter created within the County of Cook having territory covering the territory of the City of Chicago or any part thereof shall be allowed to become indebted otherwise than to the extent of its current annual revenues.

Section 16. No municipal corporation hereafter created covering any part of the territory of the City of Chicago shall become indebted beyond the amount of its current annual revenues.

Section 17. Subject to sections 8, 9, 10, 11 and 12 of the revenue article, the General Assembly shall have power to permit the City of Chicago after the consolidation with said city of all of the municipal corporations lying wholly or partly within said city, to become indebted to an amount to be fixed by it in the aggregate exceeding the limit prescribed by this Constitution, but such action of the General Assembly shall not become effective until approved by an ordinance of the legislative authority of the city agreed to by two-thirds vote of its full membership and by a favorable vote of three-fifths of the voters of the city voting upon the question.

Such an ordinance shall not be adopted oftener than once in ten years and the maximum limit of indebtedness, when so extended, shall never exceed 10 per cent of the full value of the taxable property within the corporate limits of the City of Chicago as ascertained by the last assessment for State and county taxes.

Such an ordinance if rejected shall not be resubmitted within two years from the date of such original submission.

The limit of special indebtedness made possible under sections 9, 10 and 11 of the revenue article shall in no case be increased under the provisions of this section.

Section 17. After consolidation with the City of Chicago of all local authorities (other than the County of Cook) lying wholly or partly within the city, the General Assembly may authorize the city to become indebted, in addition to the debt limit prescribed elsewhere in this Constitution, up to 10 per cent of the full value of all taxable property in the city as ascertained by the last assessment for State and county taxes Any increase of the debt limit authorized by this section shall further require an ordinance passed by two-thirds of those elected to the Legislative Authority of the City and approved at an election by three-fifths of those voting on the question. No such increase shall be authorized oftener than once in ten years and the approving ordinance if rejected at the election shall not be resubmitted within two years.

Respectfully submitted,

ELAM L. CLARKE, *Chairman*,
THOS. RINAKER,
CHARLES B. T. MOORE,
GEORGE A. BARR,
EDWARD H. BREWSTER.

The report of the Committee was ordered printed and the proposal placed on the order of second reading.

Mr. Carlstrom gave notice that on the next Convention day he would move to reconsider the vote by which Report No. 14 had failed to pass.

Mr. Mayer moved to reconsider the vote by which section 8, of Report No. 15 was adopted, and that further consideration of the motion to reconsider be postponed.

And the motion was lost.

Mr. Hamill moved to lay the motion to reconsider on the table.

And the motion prevailed.

Mr. Mack offered the following amendment to Rule 29, which was ordered to lie on the table until tomorrow:

Amend Rule 29 of this Convention so that the same reads as follows:

"No delegate shall speak more than once nor more than ten minutes on the same question without leave of the Convention unless he be the mover of the matter pending or chairman of the committee which reported the same in which case he shall be privileged to close the debate even though he may have already spoken or the previous question have been ordered but in closing said debate not more than five minutes shall be occupied."

The Convention proceeding upon the consideration of Report No. 18, of the Committee on Phraseology and Style, on the subject of Judicial Department, the same was again taken up.

Whereupon Mr. DeYoung moved that the report of the Committee of the Whole be substituted in its entirety for the report of the Committee on Phraseology and Style.

And the motion prevailed.

Section 1, of the report of the Committee of the Whole, was taken up and read at large.

Pending discussion, on motion of Mr. DeYoung, further consideration of section 1 was postponed.

Section 2, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 2, and moved its adoption:

Amend section 2 by substituting therefor the following:

"Section 2. The power to prescribe rules of pleading, practice and procedure shall be vested exclusively in the courts; provided, that the General Assembly may, by special law limited to that purpose, set aside or abrogate any rule prescribed by any court."

And the substitute for section 2 was adopted.

The question then being on the adoption of section 2, as amended, a call of the roll was had, resulting as follows: Yeas, 79; nays, 1.

Those voting in the affirmative are: Messrs.

Adams	De Young	Hogan	McGuire	Shanahan
Adamkiewicz	Dietz	Hollenbeck	Michal	Shuey
Barr	Dryer	Hull	Mighell	Smith
Beckman	Dunlap	Iarussi	Miller	Sneed
Brandon	Dupee, E. H.	Jack	Mills	Stahl
Brenholt	Dupuy, G. A.	Jarman	Moore	Sutherland
Brewster	Elting	Johnson, L. C.	Morris	Tebbens
Carlstrom	Fifer	Johnson, W. A.	Nichols	Torrance
Catron	Gale	Kerrick	O'Brien	Traeger
Chew	Ganschow	Kunde	Paddock	Trautmann
Clarke	Garrett	Latchford	Parker	Wall
Coolley	Gilbert	Lill	Pinnell	Wilson
Corlett	Goodyear	Lindly	Quinn	Wolff
Cutting	Gray	Mack	Revell	Woodward
Davis	Green	Mayer	Rinaker	Mr. President
Dawes	Hamill	McEwen	Rosenberg	Yeas—79.

Those voting in the negative are: Messrs.

Taff Nays—1.

Section 2, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style, for action as provided by Rule 20.

Section 3, of the report of the Committee of the Whole, was taken up and read at large.

Pending roll call Mr. DeYoung moved that further consideration of section 3 be postponed.

And the motion prevailed.

Section 4, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 4, and moved its adoption:

Amend section 4 by substituting therefor as follows:

"Section 4. The Supreme Court shall sit at the seat of government of the State and shall hold such sessions as may be necessary for the prompt and proper transaction of the business which may come before it."

And the substitute for section 4 was adopted.

Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend section 4, as amended, by striking out all of the section after the word "State" in line 2.

And the amendment was lost.

Mr. Mayer offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend section 4, as amended, by striking out the words "such as may be necessary" and inserting in lieu thereof the words, "at least five sessions annually."

And the amendment was lost.

Mr. Taff offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend section 4, as amended, by substituting therefor the first sentence of section 4, of the report of the Committee on Phraseology and Style.

And the amendment was lost.

Mr. DeYoung moved to reconsider the vote by which Amendment No. 1, offered by Mr. Hamill, was lost.

The motion prevailed.

And Amendment No. 1 was again taken up.

The question being on the adoption of Amendment No. 1, it was decided in the affirmative.

The question then being on the adoption of section 4, as amended, a call of the roll was had, resulting as follows: Yeas, 83; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dietz	Hollenbeck	Michal	Smith
Adamkiewicz	Dryer	Hull	Mighell	Sneed
Barr	Dunlap	Iarussi	Miller	Stahl
Beckman	Dupee, E. H.	Ireland	Mills	Sutherland
Brandon	Dupuy, G. A.	Jack	Moore	Taff
Brenholt	Elting	Jarman	Morris	Tebbens
Brewster	Fifer	Johnson, L. C.	Nichols	Torrance
Carlstrom	Gale	Johnson, W. A.	O'Brien	Traeger
Catron	Ganschow	Kerrick	Paddock	Trautmann
Chew	Garrett	Kunde	Parker	Wall
Clarke	Gee	Latchford	Pinnell	Warren
Coolley	Gilbert	Lill	Quinn	Wilson
Corlett	Goodyear	Lindly	Revell	Wolff
Cruden	Gray	Mack	Rinaker	Woodward
Cutting	Green	Mayer	Rosenberg	Mr. President
Dawes	Hamill	McEwen	Shanahan	Yeas—83.
De Young	Hogan	McGuire	Shuey	Nays—0.

Section 4, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style, for action as provided by Rule 20.

By unanimous consent, on motion of Mr. DeYoung, consideration of sections 5, 6 and 7, of the report of the Committee of the Whole, was postponed.

Section 8, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. Taff moved that section 3, of the report of the Committee on Phraseology and Style, be substituted for section 8, of the report of the Committee of the Whole.

And the motion prevailed.

Pending roll call, on motion of Mr. Cutting, further consideration of section 8 was postponed.

Section 9, of the report of the Committee of the Whole, was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 77; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dietz	Hull	Mighell	Sneed
Adamkiewicz	Dryer	Iarussi	Miller	Stahl
Barr	Dunlap	Jack	Mills	Sutherland
Beckman	Dupee, E. H.	Jarman	Moore	Taff
Brandon	Dupuy, G. A.	Johnson, L. C.	Morris	Tebbens
Brenholt	Elting	Johnson, W. A.	Nichols	Torrance
Brewster	Fifer	Kerrick	Parker	Traeger
Carlstrom	Gale	Latchford	Pinnell	Trautmann
Catron	Ganschow	Lill	Quinn	Wall
Chew	Garrett	Lindly	Revell	Warren
Clarke	Gee	Mack	Rinaker	Wilson
Coolley	Gilbert	Mayer	Rosenberg	Wolff
Corlett	Goodyear	McEwen	Shanahan	Woodward
Cutting	Gray	McGuire	Shuey	Mr. President
Dawes	Hamill	Michal	Smith	Yeas—77.
De Young	Hollenbeck			Nays—0.

Section 9, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style, for action as provided by Rule 20.

Section 10, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 10, and moved its adoption:

Amend section 10 by substituting therefor the following:

"Section 10. There shall be four Appellate Courts of uniform jurisdiction which shall be known respectively as the Appellate Court for the First District, the Appellate Court for the Second District, the Appellate Court for the Third District and the Appellate Court for the Fourth District. Said districts shall remain as now constituted, and said courts shall sit at the respective places now fixed, until otherwise provided by law. Each of said Appellate Courts shall consist of three judges and shall have such number of branches of three judges each, as the Supreme Court may from time to time determine. Such branch courts shall have the same jurisdiction, powers and duties as, and the judges thereof the same qualifications as the judges of, the Appellate Courts. Said courts and branches shall sit as may be directed by the Supreme Court."

And the substitute for section 10 was adopted.

Mr. Taff moved that further consideration of section 10 be postponed.

And the motion was lost.

Pending further consideration, at the hour of 5:50 o'clock p. m., Mr. Miller moved that the Convention do now adjourn until 9:00 o'clock a. m., tomorrow.

The motion prevailed.

And the Convention stood adjourned.

WEDNESDAY, MAY 3, 1922, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Lewis B. Landreth, of the Immaculate Conception Church, of Carthage.

The Journal of Monday, May 1st, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

In accordance with the resolution adopted April 25th, the Secretary called the roll of the Convention, which resulted as follows: Present, 84.

Those voting present are: Messrs.

Adams	De Young	Hollenbeck	Michal	Shuey
Adamkiewicz	Dietz	Hull	Mighell	Six
Barr	Dryer	Iarussi	Miller	Smith
Beckman	Dunlap	Ireland	Mills	Sneed
Brandon	Dupee, E. H.	Jack	Moore	Stahl
Brenholt	Dupuy, G. A.	Jarman	Morris	Sutherland
Brewster	Fifer	Johnson, L. C.	Nichols	Taff
Carlstrom	Gale	Kerrick	O'Brien	Tebbens
Catron	Ganschow	Kunde	Paddock	Torrance
Chew	Garrett	Latchford	Parker	Traeger
Clarke	Gee	Lill	Pincus	Trautmann
Coolley	Gilbert	Lindly	Pinnell	Wall
Corlett	Goodyear	Mack	Quinn	Warren
Cruden	Gray	Mayer	Revell	Wilson
Cutting	Green	McEwen	Rinaker	Woodward
Davis	Hamill	McGuire	Rosenberg	Mr. President
Dawes	Hogan	Meinert	Shanahan	Present—84.

By unanimous consent Mr. Elting was excused from attendance at the sessions of the Convention today.

By unanimous consent Mr. W. A. Johnson was excused from attendance at the sessions of the Convention today.

Mr. Carlstrom, in accordance with his notice of yesterday, moved to reconsider the vote by which Report No. 14, of the Committee on Phraseology and Style, had failed to pass, and that further consideration of the motion to reconsider be postponed.

And the motion prevailed.

The President called up the amendment to Rule 29, offered by Mr. Mack on yesterday.

Pending discussion Mr. Sutherland moved the previous question.

And the question being, "Shall the main question be now put?" it was decided in the affirmative.

The question then being on the adoption of the amendment to Rule 29, a call of the roll was had, resulting as follows: Yeas, 59; nays, 14.

Those voting in the affirmative are: Messrs.

Adams	Gale	Ireland	Moore	Six
Barr	Ganschow	Jack	Morris	Stahl
Brandon	Garrett	Jarman	Nichols	Sutherland
Brenholt	Gee	Johnson, L. C.	O'Brien	Taff
Carlstrom	Gilbert	Kunde	Paddock	Tebbens
Chew	Goodyear	Latchford	Parker	Trautmann
Clarke	Gray	Mack	Pinnell	Wall
Davis	Green	McGuire	Quinn	Warren
Dawes	Hamill	Meinert	Revell	Wilson
Dietz	Hogan	Mighell	Rosenberg	Woodward
Dryer	Hollenbeck	Miller	Shanahan	Mr. President
Dupee, E. H.	Iarussi	Mills	Shuey	Yeas—59.

Those voting in the negative are: Messrs.

Adamkiewicz	Cutting	Dupuy, G. A.	Mayer	Rinaker
Brewster	De Young	Fifer	McEwen	Torrance
Corlett	Dunlap	Hull	Pincus	Nays—14.

The amendment, having received the votes of a majority of the Delegates elected, was adopted.

Mr. Brandon moved to reconsider the vote by which section 9, of Report No. 18, was adopted on yesterday.

And the motion prevailed.

Whereupon Mr. Brandon moved that further consideration of section 9 be postponed.

And the motion prevailed.

The pending question at the hour of adjournment on yesterday being the consideration of section 10, of Report No. 18, the same was again taken up.

Pending discussion, by unanimous consent, further consideration of section 10 was postponed.

By unanimous consent, consideration of sections 11 and 12, of report of the Committee of the Whole, was postponed.

Section 13, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 13, and moved its adoption:

Amend section 13 by substituting therefor the following:

"Section 13. The judges of the Appellate Court and branch or branches, if any, for each district, shall appoint a clerk of the court for such district, who shall hold his office for six years, subject to removal by said judges"

And the substitute for section 13 was adopted.

Mr. Hull offered the following amendment and moved its adoption:

AMENDMENT No. 4.

Amend section 13 of the Judicial Article by adding thereto the following:

"Provided that the Appellate Clerks holding office at the time this Constitution goes into effect shall hold office until the expiration of the terms of office to which they have been elected."

And the amendment was adopted.

The question then being on the adoption of section 13, as amended, a call of the roll was had, resulting as follows: Yeas, 62; nays, 15.

Those voting in the affirmative are: Messrs.

Adams	Dryer	Hull	Mighell	Six
Barr	Dunlap	Ireland	Miller	Smith
Brewster	Dupuy, G. A.	Jack	Mills	Stahl
Carlstrom	Fifer	Jarman	Moore	Sutherland
Catron	Gale	Johnson, L. C.	Nichols	Taff
Chew	Garrett	Kerrick	Paddock	Torrance
Clarke	Gilbert	Lill	Parker	Trautmann
Corlett	Goodyear	Lindly	Pinnell	Wall
Cruden	Gray	Mack	Revell	Warren
Cutting	Green	Mayer	Rinaker	Wilson
Davis	Hamill	McEwen	Shanahan	Woodward
Dawes	Hogan	McGuire	Shuey	Mr. President
De Young	Hollenbeck			Yeas—62.

Those voting in the negative are: Messrs.

Adamkiewicz	Dietz	Kunde	O'Brien	Tebbens
Brandon	Ganschow	Latchford	Pincus	Traeger
Brenholt	Iarussi	Michal	Rosenberg	
Coolley				Nays—15.

Section 13, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 14, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following amendment and moved its adoption:

AMENDMENT No. 5.

Amend section 14 by striking out the words and figures "May A. D. 1922" and inserting in lieu thereof the words and figures "November A. D. 1927."

And the amendment was adopted.

The question then being on the adoption of section 14, as amended, a call of the roll was had, resulting as follows: Yeas, 80; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dietz	Iarussi	Miller	Six
Adamkiewicz	Dryer	Ireland	Mills	Smith
Barr	Dunlap	Jack	Moore	Sneed
Brandon	Dupuy, G. A.	Jarman	Morris	Stahl
Brenholt	Fifer	Johnson, L. C.	Nichols	Sutherland
Brewster	Gale	Kerrick	O'Brien	Taff
Carlstrom	Ganschow	Kunde	Paddock	Tebbens
Catron	Garrett	Latchford	Parker	Torrance
Chew	Gee	Lill	Pincus	Traeger
Clarke	Gilbert	Lindly	Pinnell	Trautmann
Coolley	Goodyear	Mack	Quinn	Wall
Corlett	Gray	Mayer	Revell	Warren
Cruden	Green	McEwen	Rinaker	Wilson
Cutting	Hamill	McGuire	Rosenberg	Woodward
Davis	Hogan	Michal	Shanahan	Mr. President
Dawes	Hollenbeck	Mighell	Shuey	Yeas—80.
De Young				Nays—0.

Section 14, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 15, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 15, and moved its adoption:

Amend section 15 by substituting therefor the following:

"Section 15. The Circuit Courts, other than the Circuit Court of Cook County, shall have original jurisdiction of all causes at law and in equity, and such other jurisdiction as is or may be provided by law."

And the substitute for section 15 was adopted.

The question then being on the adoption of section 15, as amended, a call of the roll was had, resulting as follows: Yeas, 79; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	De Young	Iarussi	Miller	Six
Adamkiewicz	Dietz	Ireland	Mills	Smith
Barr	Dryer	Jack	Moore	Sneed
Beckman	Dunlap	Jarman	Morris	Stahl
Brandon	Dupuy, G. A.	Johnson, L. C.	Nichols	Sutherland
Brenholt	Fifer	Kerrick	O'Brien	Taff
Brewster	Gale	Kunde	Paddock	Tebbens
Carlstrom	Ganschow	Latchford	Parker	Torrance
Catron	Garrett	Lill	Pincus	Traeger
Chew	Gee	Lindly	Pinnell	Trautmann
Clarke	Gilbert	Mack	Quinn	Wall
Coolley	Goodyear	Mayer	Revell	Warren
Corlett	Gray	McEwen	Rinaker	Wilson
Cruden	Green	McGuire	Rosenberg	Woodward
Cutting	Hamill	Michal	Shanahan	Mr. President
Dawes	Hogan	Mighell	Shuey	

Yeas—79.
Nays—0.

Section 15, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 16, of the report of the Committee of the Whole, was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 79; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Hogan	McGuire	Six
Adamkiewicz	De Young	Hollenbeck	Michal	Smith
Barr	Dietz	Hull	Mighell	Sneed
Beckman	Dryer	Iarussi	Miller	Stahl
Brandon	Dunlap	Ireland	Mills	Sutherland
Brenholt	Dupuy, G. A.	Jack	Moore	Taff
Brewster	Fifer	Jarman	Morris	Tebbens
Carlstrom	Gale	Johnson, L. C.	Nichols	Torrance
Catron	Ganschow	Kerrick	O'Brien	Traeger
Chew	Garrett	Kunde	Paddock	Trautmann
Clarke	Gee	Latchford	Pinnell	Wall
Coolley	Gilbert	Lill	Revell	Warren
Corlett	Goodyear	Lindly	Rinaker	Wilson
Cruden	Gray	Mack	Rosenberg	Woodward
Cutting	Green	Mayer	Shanahan	Mr. President
Davis	Hamill	McEwen	Shuey	

Yeas—79.
Nays—0.

Section 16, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 17, of the report of the Committee of the Whole, was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 80; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dietz	Hull	Michal	Shuey
Adamkiewicz	Dryer	Iarussi	Mighell	Six
Barr	Dunlap	Ireland	Miller	Smith
Beckman	Dupuy, G. A.	Jack	Mills	Sneed
Brandon	Fifer	Jarman	Moore	Stahl
Brenholt	Gale	Johnson, L. C.	Morris	Sutherland
Brewster	Ganschow	Kerrick	Nichols	Taff
Carlstrom	Garrett	Kunde	O'Brien	Torrance
Catron	Gee	Latchford	Paddock	Traeger
Chew	Gilbert	Lill	Parker	Trautmann
Clarke	Goodyear	Lindly	Pinnell	Wall
Coolley	Gray	Mack	Quinn	Warren
Corlett	Green	Mayer	Revell	Wilson
Cutting	Hamill	McEwen	Rinaker	Woodward
Davis	Hogan	McGuire	Rosenberg	Mr. President
Dawes	Hollenbeck	Meinert	Shanahan	Yeas—80.
De Young				Nays—0.

Section 17, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 18, of the report of the Committee of the Whole, was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 80; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dietz	Hull	Michal	Shuey
Adamkiewicz	Dryer	Iarussi	Mighell	Six
Barr	Dunlap	Ireland	Miller	Smith
Beckman	Dupuy, G. A.	Jack	Mills	Sneed
Brandon	Fifer	Jarman	Moore	Stahl
Brenholt	Gale	Johnson, L. C.	Morris	Sutherland
Brewster	Ganschow	Kerrick	Nichols	Taff
Carlstrom	Garrett	Kunde	O'Brien	Torrance
Catron	Gee	Latchford	Paddock	Traeger
Chew	Gilbert	Lill	Parker	Trautmann
Clarke	Goodyear	Lindly	Pinnell	Wall
Cooliey	Gray	Mack	Quinn	Warren
Corlett	Green	Mayer	Revell	Wilson
Cutting	Hamill	McEwen	Rinaker	Woodward
Davis	Hogan	McGuire	Rosenberg	Mr. President
Dawes	Hollenbeck	Meinert	Shanahan	Yeas—80.
De Young				Nays—0.

Section 18, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 19, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 19, and moved its adoption:

Amend section 19 by substituting therefor the following:

"Section 19. The Circuit Court shall sit at the county seat of each county and, outside of Cook County, in all cities other than county seats, which have a population exceeding fifty thousand inhabitants. The judges of the circuit, or a majority of them, may provide for holding sessions of said court in any city or part of a city, within the circuit, which is not a county seat or part thereof, whose population exceeds five thousand. All such cities, other than county seats, shall provide suitable quarters for holding court, without expense to the county or the State."

And the substitute for section 19 was adopted.

Mr. Green offered the following amendment and moved its adoption:

AMENDMENT No. 6.

Amend section 19, as amended, by striking out of the last sentence thereof the following: "without expense to the county or the State."

And the amendment was lost.

The question then being on the adoption of section 19, as amended, a call of the roll was had, resulting as follows: Yeas, 80; nays, 1.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Hogan	Meinert	Rosenberg
Adamkiewicz	De Young	Hull	Michal	Shanahan
Barr	Dietz	Iarussi	Mighell	Shuey
Beckman	Dryer	Ireland	Miller	Six
Brandon	Dunlap	Jack	Mills	Smith
Brenholt	Dupuy, G. A.	Jarman	Moore	Sneed
Brewster	Fifer	Johnson, L. C.	Morris	Stahl
Carlstrom	Gale	Kerrick	Nichols	Sutherland
Catron	Ganschow	Kunde	O'Brien	Taff
Chew	Garrett	Latchford	Paddock	Tebbens
Clarke	Gee	Lill	Parker	Torrance
Coolley	Gilbert	Lindly	Pincus	Traeger
Corlett	Goodyear	Mack	Pinnell	Trautmann
Cruden	Gray	Mayer	Quinn	Wall
Cutting	Green	McEwen	Revell	Woodward
Davis	Hamill	McGuire	Rinaker	Mr. President

Yeas—80.

Those voting in the negative are: Messrs.

Hollenbeck

Nays—1.

Section 19, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Mr. Green gave notice that on the next Convention day he would move to reconsider the vote by which section 19 was adopted.

Section 20, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 20, and moved its adoption:

Amend section 20 by substituting therefor the following:

"Section 20. The County Court of each county, other than Cook, is hereby continued and on the first Monday of December A. D. 1923, the County and Probate Courts in each county, other than Cook, where both courts exist, shall be consolidated into one court of record to be known as the County Court."

And the substitute for section 20 was adopted.

The question then being on the adoption of section 20, as amended, a call of the roll was had, resulting as follows: Yeas, 83; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	De Young	Hull	Mighell	Six
Adamkiewicz	Dietz	Iarussi	Miller	Smith
Barr	Dryer	Ireland	Mills	Sneed
Beckman	Dunlap	Jack	Moore	Stahl
Brandon	Dupuy, G. A.	Jarman	Morris	Sutherland
Brenholt	Fifer	Johnson, L. C.	Nichols	Taff
Brewster	Gale	Kerrick	O'Brien	Tebbens
Carlstrom	Ganschow	Kunde	Paddock	Torrance
Catron	Garrett	Latchford	Parker	Traeger
Chew	Gee	Lill	Pincus	Trautmann
Clarke	Gilbert	Lindly	Pinnell	Wall
Coolley	Goodyear	Mack	Quinn	Warren
Corlett	Gray	Mayer	Revell	Wilson
Cruden	Green	McEwen	Rinaker	Woodward
Cutting	Hamill	McGuire	Rosenberg	Mr. President
Davis	Hogan	Meinert	Shanahan	
Dawes	Hollenbeck	Michal	Shuey	

Yeas—83.

Nays—0.

Section 20, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 21, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 21, and moved its adoption:

Amend section 21 by substituting therefor the following:

"Section 21. County Courts shall have original jurisdiction of all matters of probate, guardianship, conservatorship and apprenticeship, the administration and settlement of estates of deceased persons and proceedings for the sale of real estate for purposes authorized by law; concurrent jurisdiction with the Circuit Courts in testamentary trusts, construction of wills and partition of real estate where incidental to the settlement of estates; all proceedings relating to taxes and assessments and for the collection thereof; exclusive jurisdiction of all appeals from justices of peace; criminal cases below the grade of felony, and such other jurisdiction as is or may be provided by general law."

And the substitute for section 21 was adopted.

Mr. Adams offered the following amendment and moved its adoption:

AMENDMENT No. 7.

Amend section 21 by striking therefrom the word "exclusive" where it last appears in the section.

And the amendment was lost.

Mr. Gee offered the following amendment and moved its adoption:

AMENDMENT No. 8.

Amend section 21 by inserting after the word "thereof" the following words: "common law causes ex contractu where the sum involved does not exceed two thousand dollars exclusive of interest and costs."

And the amendment was lost.

The question then being on the adoption of section 21, as amended, a call of the roll was had, resulting as follows: Yeas, 79; nays, 1.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Hull	Mighell	Six
Adamkiewicz	De Young	Iarussi	Miller	Smith
Barr	Dietz	Ireland	Mills	Sneed
Beckman	Dryer	Jack	Moore	Stahl
Brandon	Dunlap	Jarman	Morris	Sutherland
Brenholt	Fifer	Johnson, L. C.	Nichols	Taff
Brewster	Gale	Kerrick	O'Brien	Tebbens
Carlstrom	Ganschow	Kunde	Paddock	Torrance
Catron	Garrett	Latchford	Parker	Traeger
Chew	Gilbert	Lill	Pincus	Trautmann
Clarke	Goodyear	Mack	Pinnell	Wall
Coolley	Gray	Mayer	Quinn	Warren
Corlett	Green	McEwen	Rinaker	Wilson
Cruden	Hamill	McGuire	Rosenberg	Woodward
Cutting	Hogan	Meinert	Shanahan	Mr. President
Davis	Hollenbeck	Michal	Shuey	

Yeas—79.

Those voting in the negative are: Messrs.

Gee

Nays—1.

Answering present but not voting: Mr.

Dupuy, G. A.

Present—1.

Section 21, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

At the hour of 12:40 o'clock p. m., Mr. Cutting moved that the Convention do now take a recess until 2:00 o'clock p. m.

And the motion prevailed.

2:00 o'Clock P. M.

The hour of 2:00 o'clock p. m. having arrived, the Convention resumed its session.

The President presiding.

Section 22, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 22, and moved its adoption:

Amend section 22 by substituting therefor the following:

"Section 22. The judges of the County and Probate Courts in counties other than Cook, in office on the first Monday of December, A. D. 1923, shall be judges of said consolidated court, and shall continue to hold office during the terms for which they were elected, and until their successors are elected and shall qualify. The term of office of judges of County Courts elected after the year A. D. 1922, other than judges elected or appointed to fill unexpired terms, shall be six years from the day of their election. At the annual election in November A. D. 1927, and at the annual election every six years thereafter, in counties other than Cook, there shall be elected in and for each county one judge of the County Court and an additional judge for every fifty thousand inhabitants therein, or major portion thereof, above a population of fifty thousand. But the General Assembly may create districts of two or more contiguous counties, in each of which districts shall be elected one judge who shall take the place and exercise the powers and jurisdiction of judges of the County Courts in such districts."

And the substitute for section 22 was adopted.

Mr. Stahl moved to amend section 22, as amended, by striking out the word "six" and substituting therefor the word "four."

And the motion was lost.

The question then being on the adoption of section 22, as amended, a call of the roll was had, resulting as follows: Yeas, 73; nays, 5.

Those voting in the affirmative are: Messrs.

Adams	De Young	Hollenbeck	Michal	Six
Adamkiewicz	Dietz	Hull	Mighell	Smith
Barr	Dryer	Iarussi	Miller	Sneed
Beckman	Dunlap	Ireland	Moore	Sutherland
Brandon	Dupuy, G. A.	Jack	Morris	Taff
Brenholt	Gale	Johnson, L. C.	Nichols	Tebbens
Brewster	Ganschow	Kunde	O'Brien	Torrance
Carlstrom	Garrett	Latchford	Paddock	Traeger
Chew	Gee	Lill	Pincus	Trautmann
Clarke	Gilbert	Lindly	Quinn	Wall
Corlett	Goodyear	Mack	Revell	Warren
Cruden	Gray	Mayer	Rinaker	Wilson
Cutting	Green	McEwen	Rosenberg	Woodward
Davis	Hamill	McGuire	Shuey	Mr. President
Dawes	Hogan	Meinert		

Yeas—73.

Those voting in the negative are: Messrs.

Coolley	Jarman	Kerrick	Mills	Stahl

Nays—5.

Section 22, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 23, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 23, and moved its adoption:

Amend section 23 by substituting therefor the following:

"Section 23. The County Court shall sit at the county seat of each county; and, outside of Cook County, in all cities, other than county seats, which have a population exceeding twenty thousand inhabitants whenever such cities, other than county seats, shall provide suitable quarters for holding court, without expense to the county or the State. County Courts shall always be open for the transaction of business and the first Monday of each month shall be the return day for process or appeal to said courts."

And the substitute for section 23 was adopted.

The question then being on the adoption of section 23, as amended, a call of the roll was had, resulting as follows: Yeas, 73; nays, 5.

Those voting in the affirmative are: Messrs.

Adamkiewicz	Dietz	Hull	Mighell	Shuey
Barr	Dryer	Iarussi	Miller	Six
Beckman	Dunlap	Ireland	Mills	Smith
Brenholt	Dupuy, G. A.	Jack	Moore	Sneed
Brewster	Gale	Johnson, L. C.	Morris	Stahl
Carlstrom	Ganschow	Kerrick	O'Brien	Sutherland
Catron	Garrett	Kunde	Paddock	Tebbens
Chew	Gee	Latchford	Parker	Torrance
Clarke	Gilbert	Lill	Pincus	Traeger
Corlett	Goodyear	Lindly	Pinnell	Trautmann
Cruden	Gray	Mayer	Quinn	Wall
Cutting	Green	McEwen	Revell	Wilson
Davis	Hamill	McGuire	Rinaker	Woodward
Dawes	Hogan	Meinert	Shanahan	Mr. President
De Young	Hollenbeck	Michal		Yeas—73.

Those voting in the negative are: Messrs.

Adams	Brandon	Coolley	Nichols	Taff
				Nays—5.

Section 23, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 24, of the report of the Committee of the Whole, was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 64; nays, 10.

Those voting in the affirmative are: Messrs.

Adamkiewicz	Dietz	Jack	Miller	Six
Barr	Dryer	Johnson, L. C.	Mills	Smith
Beckman	Dunlap	Kerrick	Moore	Sneed
Brenholt	Dupuy, G. A.	Kunde	Morris	Sutherland
Carlstrom	Fifer	Latchford	O'Brien	Tebbens
Catron	Garrett	Lill	Paddock	Torrance
Clarke	Gilbert	Lindly	Parker	Traeger
Coolley	Goodyear	Mack	Pincus	Trautmann
Cruden	Gray	McEwen	Revell	Wall
Cutting	Green	McGuire	Rinaker	Wilson
Davis	Hamill	Meinert	Rosenberg	Woodward
Dawes	Hogan	Michal	Shanahan	Mr. President
De Young	Hollenbeck	Mighell	Shuey	Yeas—64.

Those voting in the negative are: Messrs.

Brewster	Gale	Jarman	Pinnell	Taff
Chew	Gee	Nichols	Stahl	Warren
				Nays—10.

Section 24, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 25, of the report of the Committee of the Whole, was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 81; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	De Young	Iarussi	Miller	Six
Adamkiewicz	Dietz	Jack	Mills	Smith
Barr	Dryer	Jarman	Moore	Sneed
Beckman	Dunlap	Johnson, L. C.	Morris	Stahl
Brandon	Dupuy, G. A.	Kerrick	Nichols	Sutherland
Brenholt	Fifer	Kunde	O'Brien	Taff
Brewster	Gale	Latchford	Paddock	Tebbens
Carlstrom	Garrett	Lill	Parker	Torrance
Catron	Gee	Lindly	Pincus	Traeger
Chew	Gilbert	Mack	Pinnell	Trautmann
Clarke	Goodyear	Mayer	Quinn	Wall
Coolley	Gray	McEwen	Revell	Warren
Corlett	Green	McGuire	Rinaker	Wilson
Cruden	Hamill	Meinert	Rosenberg	Woodward
Cutting	Hogan	Michal	Shanahan	Mr. President
Davis	Hollenbeck	Mighell	Shuey	Yeas—81.
Dawes	Hull			Nays—0.

Section 25, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 10, of the report of the Committee of the Whole, was again taken up.

Whereupon Mr. DeYoung offered the following as a substitute for section 10, and moved its adoption:

Amend section 10 by substituting therefor the following:

"Section 10. There shall be four Appellate Courts of uniform jurisdiction which shall be known respectively as the Appellate Court of the First District, the Appellate Court of the Second District, the Appellate Court of the Third District, and the Appellate Court of the Fourth District. Said districts shall remain as now constituted and said courts shall sit at the respective places now fixed until otherwise provided by law.

"Each of said Appellate Courts shall consist of three judges, or such multiple of three, as the Supreme Court may from time to time determine. In courts consisting of more than three judges the Supreme Court may assign the judges thereof to divisions of three judges each. Each division shall select a presiding judge thereof and the presiding judges shall apportion the work of the court among the several divisions and perform such other administrative acts as may be necessary. Said courts shall hold such sessions as may be directed by the Supreme Court."

And the substitute for section 10 was adopted.

The question then being on the adoption of section 10, as amended, a call of the roll was had, resulting as follows: Yeas, 76; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Hollenbeck	Mighell	Shuey
Adamkiewicz	De Young	Iarussi	Miller	Six
Barr	Dietz	Jack	Mills	Sneed
Beckman	Dryer	Jarman	Moore	Stahl
Brandon	Dunlap	Johnson, L. C.	Morris	Sutherland
Brenholt	Dupuy, G. A.	Kerrick	Nichols	Tebbens
Brewster	Fifer	Latchford	Paddock	Torrance
Carlstrom	Gale	Lill	Parker	Traeger
Catron	Garrett	Lindly	Pincus	Trautmann
Chew	Gee	Mack	Pinnell	Wall
Clarke	Gilbert	Mayer	Quinn	Warren
Coolley	Goodyear	McEwen	Revell	Wilson
Corlett	Gray	McGuire	Rinaker	Woodward
Cruden	Green	Meinert	Rosenberg	Mr. President
Cutting	Hamill	Michal	Shanahan	Yeas—76.
Davis	Hogan			Nays—0.

Section 10, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 8, of the report of the Committee of the Whole, was again taken up.

Whereupon Mr. Cutting offered the following amendment and moved its adoption:

AMENDMENT No. 9.

Amend section 8 after the word "of" in the third line thereof by inserting the words "an accumulation of business" and by inserting after the word "removed" in the last line of the section the words "or the emergency is past."

And the amendment was adopted.

The question then being on the adoption of section 8, as amended, a call of the roll was had, resulting as follows: Yeas, 78; nays, 2.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Hull	Miller	Shuey
Adamkiewicz	De Young	Iarussi	Mills	Six
Barr	Dietz	Jack	Moore	Smith
Beckman	Dryer	Jarman	Morris	Sneed
Brandon	Dunlap	Johnson, L. C.	Nichols	Stahl
Brenholt	Dupuy, G. A.	Kerrick	O'Brien	Taff
Brewster	Fifer	Kunde	Paddock	Tebbens
Carlstrom	Gale	Latchford	Parker	Torrance
Catron	Garrett	Lill	Pincus	Traeger
Chew	Gilbert	Lindly	Pinnell	Trautmann
Clarke	Goodyear	Mack	Quinn	Wall
Coolley	Gray	Mayer	Revell	Warren
Corlett	Green	McEwen	Rinaker	Wilson
Cruden	Hamill	McGuire	Rosenberg	Woodward
Cutting	Hogan	Meinert	Shanahan	Mr. President
Davis	Hollenbeck	Mighell		Yeas—78.

Those voting in the negative are: Messrs:

Gee	Michal	Nays—2.

Section 8, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Mr. DeYoung moved to reconsider the vote by which section 8, of Report No. 18, was adopted.

And the motion prevailed.

Mr. DeYoung thereupon moved that further consideration of section 8 be postponed.

And the motion prevailed.

Section 12, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 12, and moved its adoption:

"Amend section 12 by substituting therefor the following:

"Section 12. The term of office of the judges of the Appellate Courts, other than of judges appointed to fill vacancies and judges appointed to divisions created after full terms begin, shall be six years, and shall expire on the first day of January A. D. 1929, and every six years thereafter. The judges of the Circuit and Superior Courts of Cook County serving as judges of the Appellate Court for the First District, and the branches thereof, at the time of the adoption of this Constitution, shall thereupon become the judges of the Appellate Court for the First District and shall continue to hold office as such Appellate Court judges until the first day of January, A. D. 1929. The Supreme Court shall appoint, on or before the first day of January, A. D. 1923, the judges of the Appellate Courts for the second, third, and fourth districts, and every sixth year thereafter, the judges of all the Appellate Courts. Upon the creation of a division of an Appellate Court, the judges thereof shall hold office until the first day of January of the year next succeeding when full terms begin. The Supreme Court may, for good cause shown, remove any of said judges from office; and in case of any vacancy, the Supreme Court shall fill such vacancy by appointment."

And the substitute for section 12 was adopted.

Mr. Michal offered the following amendment and moved its adoption:

AMENDMENT No. 10.

Strike out section 12 and insert in lieu thereof the following:

"Section 12. The judges of the Appellate Court shall be elected from the several Appellate Court districts and their term of office shall be six years."

The question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 18; nays, 45.

And the amendment was lost.

Mr. Mayer offered the following amendment and moved its adoption:

AMENDMENT No. 11.

Amend section 12, as amended, by inserting after the word "branches" in line 15, the following:

"Such appointment shall be made from judges of courts of record or members of the bar."

And the amendment was lost.

The question then being on the adoption of section 12, as amended, a call of the roll was had, resulting as follows: Yeas, 65; nays, 14.

Those voting in the affirmative are: Messrs.

Barr	Davis	Hamill	Meinert	Six
Beckman	Dawes	Hogan	Mighell	Smith
Brandon	De Young	Hollenbeck	Miller	Sneed
Brenholt	Dryer	Hull	Mills	Stahl
Brewster	Dunlap	Jack	Moore	Sutherland
Carlstrom	Dupuy, G. A.	Jarman	Nichols	Taff
Catron	Fifer	Johnson, L. C.	Paddock	Torrance
Chew	Gale	Kerrick	Parker	Trautmann
Clarke	Garrett	Lill	Pinnell	Wall
Coolley	Gee	Lindly	Quinn	Warren
Corlett	Goodyear	Mayer	Revell	Wilson
Cruden	Gray	McEwen	Rinaker	Woodward
Cutting	Green	McGuire	Shuey	Mr. President

Yeas—65.

Those voting in the negative are: Messrs:

Adams	Iarussi	Michal	Pincus	Tebbens
Adamkiewicz	Kunde	Morris	Rosenberg	Traeger
Gilbert	Latchford	O'Brien	Shanahan	Nays—14.

Section 12, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Mr. Brandon called up his motion to reconsider the vote by which section 9, of Report No. 18, was adopted.

And the question being on the motion to reconsider, it was decided in the negative.

The Convention proceeding upon the consideration of Report No. 8, of the Committee on Phraseology and Style, on the subject of Chicago and Cook County, section 1 was taken up and read at large.

Whereupon Mr. Michal offered the following amendment and moved its adoption:

AMENDMENT No. 1.

Amend section 1, by striking out all of the second sentence after the word "construed," in line 8.

The question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 31; nays, 27.

And the amendment was adopted.

Mr. Miller offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend section 1, as amended, by inserting after the word "construed" in line 8, the following: "and no power shall be denied the city by reason of not being specified herein."

The question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 42; nays, 21.

And the amendment was adopted.

Mr. Jarman offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend section 1, as amended, by inserting after the word "power" in line 7, the words "of local self government."

Mr. Hull offered the following amendment to the amendment and moved its adoption:

AMENDMENT No. 1 TO AMENDMENT No. 3.

Amend Amendment No. 3 by inserting after the word "government" the words "or corporate action."

And the amendment to the amendment was adopted.

The question recurring on the adoption of Amendment No. 3, as amended, it was decided in the affirmative.

The question then being on the adoption of section 1, as amended, a call of the roll was had, resulting as follows: Yeas, 73; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Hollenbeck	Mighell	Six
Adamkiewicz	Dawes	Hull	Miller	Smith
Barr	De Young	Iarussi	Mills	Sneed
Beckman	Dietz	Jack	Moore	Stahl
Brandon	Dryer	Jarman	Morris	Sutherland
Brenholt	Dunlap	Johnson, L. C.	O'Brien	Tebbens
Brewster	Fifer	Kerrick	Paddock	Traeger
Carlstrom	Gale	Kunde	Pincus	Trautmann
Catron	Garrett	Latchford	Pinnell	Wall
Chew	Gee	Lill	Quinn	Warren
Clarke	Goodyear	Mack	Revell	Wilson
Coolley	Gray	McEwen	Rinaker	Woodward
Corlett	Green	McGuire	Rosenberg	Mr. President
Cruden	Hamill	Meinert	Shanahan	Yeas—73.
Cutting	Hogan	Michal	Shuey	Nays—0.

Answering present but not voting: Mr. Mayer

Present—1.

Section 1, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 2 was taken up and read at large.

Whereupon Mr. Jarman offered the following amendment and moved its adoption:

AMENDMENT No. 4.

Amend section 2 by inserting at the end thereof the following paragraph:

"A certified copy of said charter or any amendment thereto shall be filed with the Secretary of State within thirty days after its adoption by referendum vote and shall not take effect until so filed."

The question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 32; nays, 18.

And the amendment was adopted.

Mr. Mayer offered the following amendment and moved its adoption:

AMENDMENT No. 5.

Amend section 2 by striking out of the second paragraph the words "shall prevail over State laws."

And the amendment was lost.

Mr. Hull offered the following amendment and moved its adoption:

AMENDMENT No. 6.

Amend section 2 by striking out the words "and shall not take effect until so filed" where they appear in the amendment offered by Mr. Jarman.

And the amendment was adopted.

Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 7.

Amend section 2 by striking out all of the last paragraph thereof.

And the amendment was lost.

The question then being on the adoption of section 2, as amended, a call of the roll was had, resulting as follows: Yeas, 72; nays, 4.

Those voting in the affirmative are: Messrs.

Adams
Adamkiewicz
Barr
Beckman
Brandon
Brenholt
Brewster
Carlstrom
Catron
Chew
Clarke
Coolley
Corlett
Cruden
Cutting
Davis
Dawes
De Young
Dryer
Dunlap
Fifer
Gale
Garrett
Gilbert
Goodyear
Gray
Green
Hamill
Hogan
Hull
Iarussi
Jack
Jarman
Johnson, L. C.
Kerrick
Kunde
Latchford
Lill
Lindly
McEwen
McGuire
Meinert
Michal
Miller
Moore
Morris
Nichols
O'Brien
Paddock
Parker
Pincus
Pinnell
Quinn
Revell
Rosenberg
Shanahan
Shuey
Six
Smith
Sneed
Stahl
Sutherland
Taff
Tebbens
Torrance
Traeger
Trautmann
Wall
Warren
Wilson
Woodward
Mr. President

Yeas—72.

Those voting in the negative are: Messrs:

Dupuy, G. A. Mayer Mighell Mills

Nays—4.

Answering present but not voting: Mr.

Rinaker

Present—1.

Section 2, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 3 was taken up and read at large.

Whereupon Mr. Mayer offered the following amendment and moved its adoption:

AMENDMENT No. 8.

Amend section 3 by inserting after the last word thereof the following: "but in the exercise of such power of eminent domain the City of Chicago shall be regulated by general law."

And the amendment was adopted.

Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 9.

Amend section 3, as amended, by substituting therefor the following: "Section 3. The City of Chicago shall have power to condemn private property (including public utilities and the privileges or licenses held in connection therewith) for public use in accordance with law."

And the amendment was adopted.

The question then being on the adoption of section 3, as amended, a call of the roll was had, resulting as follows: Yeas, 76; nays, 0.

Those voting in the affirmative are: Messrs.

Adams
Adamkiewicz
Barr
Beckman
Brandon
Brenholt
Brewster
Carlstrom
Chew
Clarke
Coolley
Corlett
Cruden
Cutting
Davis
Dawes
De Young
Dietz
Dryer
Dunlap
Dupuy, G. A.
Fifer
Gale
Garrett
Gee
Gilbert
Goodyear
Gray
Green
Hamill
Hogan
Hull
Iarussi
Jack
Jarman
Johnson, L. C.
Kerrick
Kunde
Latchford
Lill
Mack
Mayer
McEwen
McGuire
Meinert
Michal
Mighell
Miller
Mills
Moore
Morris
Nichols
O'Brien
Paddock
Parker
Pincus
Pinnell
Quinn
Rinaker
Rosenberg
Shanahan
Shuey
Six
Smith
Sneed
Stahl
Sutherland
Taff
Tebbens
Torrance
Traeger
Trautmann
Warren
Wilson
Woodward
Mr. President

Yeas—76.

Nays—0.

Section 3, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 4 was taken up and read at large.

Whereupon Mr. Miller offered the following amendment and moved its adoption:

AMENDMENT No. 10.

Amend section 4 by striking out the word "reasonable."

And the amendment was adopted.

The question then being on the adoption of section 4, as amended, a call of the roll was had, resulting as follows: Yeas, 61; nays, 15.

Those voting in the affirmative are: Messrs.

Adams	Fifer	Kunde	Nichols	Smith
Adamkiewicz	Gale	Latchford	O'Brien	Sneed
Brandon	Gilbert	Lill	Paddock	Stahl
Brenholt	Goodyear	Mack	Parker	Sutherland
Carlstrom	Gray	McEwen	Pincus	Taff
Catron	Green	McGuire	Pinnell	Tebbens
Chew	Hogan	Meinert	Quinn	Torrance
Clarke	Hull	Michal	Rinaker	Traeger
Coolley	Iarussi	Mighell	Rosenberg	Trautmann
Cruden	Jack	Miller	Shanahan	Warren
Davis	Jarman	Mills	Shuey	Woodward
Dawes	Johnson, L. C.	Moore	Six	Mr. President
Dunlap				

Yeas—61.

Those voting in the negative are: Messrs.

Barr	Cutting	Dupuy, G. A.	Hamill	Morris
Beckman	Dietz	Garrett	Kerrick	Revell
Brewster	Dryer	Gee	Mayer	Wilson

Nays—15.

Answering present but not voting: Messrs.

Corlett	De Young	Hollenbeck	Present—3.

Section 4, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Mr. Michal moved to reconsider the vote by which section 4, of Report No. 8, was adopted.

Mr. Sutherland moved to lay that motion on the table.

And the question being on the motion to table it was decided in the affirmative.

Section 6 was taken up and read at large.

Whereupon Mr. Hull moved to strike out the word "Governmental" wherever it appears in the section and insert in lieu thereof the word "Municipal."

And the motion prevailed.

The question then being on the adoption of section 6, as amended, a call of the roll was had, resulting as follows: Yeas, 70; nays, 4.

Those voting in the affirmative are: Messrs.

Adamkiewicz	Davis	Hogan	Miller	Shanahan
Barr	Dawes	Hollenbeck	Mills	Shuey
Beckman	De Young	Hull	Moore	Six
Brandon	Dietz	Iarussi	Morris	Smith
Brenholt	Dryer	Jack	Nichols	Stahl
Brewster	Dunlap	Johnson, L. C.	O'Brien	Sutherland
Carlstrom	Dupuy, G. A.	Kunde	Paddock	Taff
Catron	Gale	Latchford	Parker	Tebbens
Chew	Garrett	Lill	Pincus	Traeger
Clarke	Gilbert	Mack	Pinnell	Trautmann
Coolley	Goodyear	McGuire	Quinn	Warren
Corlett	Gray	Meinert	Revell	Wilson
Cruden	Green	Michal	Rinaker	Woodward
Cutting	Hamill	Mighell	Rosenberg	Mr. President

Yeas—70.

Those voting in the negative are: Messrs.

Adams	Kerrick	Mayer	McEwen	Nays—4.

Section 6, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 7 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 68; nays, 1.

Those voting in the affirmative are: Messrs.

Adams	De Young	Hollenbeck	Miller	Six
Adamkiewicz	Dietz	Hull	Mills	Smith
Barr	Dryer	Iarussi	Moore	Sneed
Beckman	Dunlap	Jack	Nichols	Sutherland
Brandon	Dupuy, G. A.	Johnson, L. C.	O'Brien	Taff
Brenholt	Fifer	Kunde	Paddock	Tebbens
Brewster	Gale	Latchford	Parker	Torrance
Carlstrom	Garrett	Lill	Pincus	Traeger
Catron	Gilbert	Mack	Pinnell	Trautmann
Clarke	Goodyear	McEwen	Quinn	Warren
Coolley	Gray	McGuire	Revell	Wilson
Corlett	Green	Meinert	Rinaker	Woodward
Cruden	Hamill	Michal	Shanahan	Mr. President
Cutting	Hogan	Mighell		

Yeas—68.

Those voting in the negative are: Messrs:

Ganschow

Nays—1.

Section 7, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 8 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 68; nays, 1.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Hollenbeck	Moore	Six
Adamkiewicz	De Young	Iarussi	Nichols	Smith
Barr	Dietz	Jack	O'Brien	Stahl
Brandon	Dryer	Johnson, L. C.	Paddock	Sutherland
Brenholt	Dunlap	Kunde	Parker	Taff
Brewster	Dupuy, G. A.	Latchford	Pincus	Tebbens
Carlstrom	Fifer	Lill	Pinnell	Torrance
Catron	Gale	Mack	Quinn	Traeger
Clarke	Garrett	McEwen	Revell	Trautmann
Coolley	Gilbert	McGuire	Rinaker	Warren
Corlett	Goodyear	Meinert	Rosenberg	Wilson
Cruden	Gray	Michal	Shanahan	Woodward
Cutting	Green	Mighell	Shuey	Mr. President
Davis	Hamill	Miller		

Yeas—68.

Those voting in the negative are: Messrs:

Mills

Nays—1.

Section 8, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

At the hour of 6:25 o'clock p. m., Mr. Hamill moved that the Convention do now adjourn until 9:00 o'clock a. m., tomorrow.

The motion prevailed.

And the Convention stood adojurned.

THURSDAY, MAY 4, 1922, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Lewis B. Landreth, of the Immaculate Conception Church, of Carthage.

The Journal of Tuesday, May 2nd, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

In accordance with the resolution adopted April 25th, the Secretary called the roll of the Convention, which resulted as follows: Present, 86.

Those voting present are: Messrs.

Adams	De Young	Hogan	Michal	Shuey
Adamkiewicz	Dietz	Hollenbeck	Mighell	Six
Baldwin	Dryer	Hull	Miller	Smith
Barr	Dunlap	Iarussi	Mills	Sneed
Beckman	Dupuy, G. A.	Jack	Moore	Stahl
Brandon	Elting	Jarman	Morris	Sutherland
Brenholt	Fifer	Johnson, L. C.	Nichols	Taff
Brewster	Fyke	Kerrick	O'Brien	Tebbens
Carlstrom	Gale	Kunde	Paddock	Torrance
Catron	Ganschow	Latchford	Parker	Traeger
Chew	Garrett	Lill	Pincus	Trautmann
Clarke	Gee	Lindly	Pinnell	Wall
Coolley	Gilbert	Mack	Quinn	Warren
Corlett	Goodyear	Mayer	Revell	Wilson
Cruden	Gray	McEwen	Rinaker	Wolff
Cutting	Green	McGuire	Rosenberg	Woodward
Davis	Hamill	Meinert	Shanahan	Mr. President
Dawes				Present—86.

The Convention proceeding upon the consideration of Report No. 8, of the Committee on Phraseology and Style, on the subject of Chicago and Cook County, sections 9, 10 and 11, combined, were taken up and read at large.

And the question being on the adoption of sections 9, 10 and 11, combined, a call of the roll was had, resulting as follows: Yeas, 79; nays, 1.

Those voting in the affirmative are: Messrs.

Adams	Davis	Green	McEwen	Shuey
Adamkiewicz	Dawes	Hamill	McGuire	Six
Baldwin	De Young	Hogan	Meinert	Smith
Barr	Dietz	Hollenbeck	Mighell	Sneed
Beckman	Dryer	Hull	Miller	Stahl
Brandon	Dunlap	Iarussi	Mills	Sutherland
Brenholt	Dupuy, G. A.	Jack	Moore	Taff
Brewster	Elting	Jarman	Morris	Torrance
Carlstrom	Fifer	Johnson, L. C.	Nichols	Traeger
Catron	Fyke	Kerrick	Paddock	Trautmann
Chew	Gale	Kunde	Parker	Wall
Clarke	Garrett	Latchford	Pinnell	Warren
Coolley	Gee	Lill	Quinn	Wilson
Corlett	Gilbert	Lindly	Revell	Woodward
Cruden	Goodyear	Mack	Rinaker	Mr. President
Cutting	Gray	Mayer	Shanahan	Yeas—79.

Those voting in the negative are: Messrs:

Wolff

Nays—1.

Sections 9, 10 and 11, combined, having received the votes of a majority of the Delegates elected, were declared passed, and, under the rules, were re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 12 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 76; nays, 0.

Those voting in the affirmative are: Messrs.

Adams
Adamkiewicz
Baldwin
Barr
Beckman
Brandon
Brenholt
Brewster
Carlstrom
Catron
Chew
Clarke
Coolley
Corlett
Cruden
Cutting
Dawes
De Young
Dietz
Dryer
Dunlap
Dupuy, G. A.
Fifer
Fyke
Gale
Garrett
Gee
Gilbert
Goodyear
Gray
Green
Hamill
Hogan
Hollenbeck
Hull
Iarussi
Jack
Johnson, L. C.
Kerrick
Kunde
Latchford
Lill
Lindly
Mack
Mayer
McEwen
McGuire
Meinert
Michal
Mighell
Miller
Mills
Moore
Morris
Nichols
Parker
Pinnell
Quinn
Revell
Rinaker
Shanahan
Shuey
Six
Smith
Sneed
Stahl
Sutherland
Taff
Torrance
Traeger
Trautmann
Wall
Warren
Wilson
Woodward
Mr. President

Yeas—76.
Nays—0.

Section 12, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 13 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 80; nays, 0.

Those voting in the affirmative are: Messrs.

Adams
Adamkiewicz
Baldwin
Barr
Beckman
Brandon
Brenholt
Brewster
Carlstrom
Catron
Chew
Clarke
Coolley
Corlett
Cruden
Cutting
Davis
Dawes
De Young
Dietz
Dryer
Dunlap
Dupuy, G. A.
Elting
Fyke
Gale
Ganschow
Garrett
Gee
Gilbert
Goodyear
Gray
Green
Hamill
Hogan
Hollenbeck
Hull
Iarussi
Jack
Jarman
Johnson, L. C.
Kerrick
Kunde
Latchford
Lill
Lindly
Mack
McEwen
McGuire
Meinert
Michal
Mighell
Miller
Mills
Moore
Morris
Nichols
O'Brien
Paddock
Parker
Pinnell
Quinn
Revell
Rinaker
Shanahan
Shuey
Six
Smith
Sneed
Stahl
Sutherland
Taff
Torrance
Traeger
Trautmann
Wall
Warren
Wilson
Woodward
Mr. President

Yeas—80.
Nays—0.

Answering present but not voting: Messrs.

Mayer
Wolff

Present—2.

Section 13, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 14 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 84; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Hamill	Meinert	Shuey
Adamkiewicz	De Young	Hogan	Michal	Six
Baldwin	Dietz	Hollenbeck	Mighell	Smith
Barr	Dryer	Hull	Miller	Sneed
Beckman	Dunlap	Iarussi	Mills	Stahl
Brandon	Dupuy, G. A.	Jack	Moore	Sutherland
Brenholt	Elting	Jarman	Morris	Taff
Brewster	Fifer	Johnson, L. C.	Nichols	Tebbens
Carlstrom	Fyke	Kerrick	O'Brien	Torrance
Catron	Gale	Kunde	Paddock	Traeger
Chew	Ganschow	Latchford	Parker	Trautmann
Clarke	Garrett	Lill	Pinnell	Warren
Coolley	Gee	Lindly	Quinn	Wilson
Corlett	Gilbert	Mack	Revell	Wolff
Cruden	Goodyear	Mayer	Rinaker	Woodward
Cutting	Gray	McEwen	Rosenberg	Mr. President
Davis	Green	McGuire	Shanahan	

Yeas—84.
Nays—0.

Section 14, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

The Convention proceeding upon the consideration of Report No. 12, of the Committee on Phraseology and Style, on the subject of Legislative Department, section 8 thereof was taken up and read at large.

Whereupon Mr. Coolley offered the following as a substitute for section 8 and moved its adoption:

Amend section 8 by substituting therefor the following:

"Section 8. At the first session of the General Assembly following the time fixed in this Constitution for making any apportionment required by any article thereof, no salary or mileage or renumeration of any kind shall be paid to the members of such General Assembly until it has effected the apportionment as required in this Constitution."

Mr. Six offered the following as a substitute for section 8, and all pending amendments, and moved its adoption:

Amend section 8, as follows: Strike out the words "It shall be the duty of the Secretary of State, Auditor of Public Accounts and Attorney General" and substitute the following: "It shall be the duty of the Governor to appoint a commission of two persons, one from Cook County and one from a county other than Cook, one of which shall be of the political party casting the highest vote and one from the political party casting the next highest vote at the last preceding State election for that State officer receiving the largest number of votes, which two commissioners so appointed shall appoint a third commissioner, and it shall be the duty of said commission of three to make an apportionment in accordance herewith, within ninety days after the adjournment."

Pending discussion, by unanimous consent, Mr. Six withdrew his substitute for section 8 and all pending amendments.

Pending discussion, by unanimous consent, Mr. Coolley withdrew his substitute for section 8.

Mr. Mighell offered the following amendment and moved its adoption:

AMENDMENT No. 31.

Amend section 8, by inserting therefor the following:

"At the general State election in the year 1926 there shall be submitted to the election, by printing the same at the top of the ballot containing the names of candidates, the following constitutional amendment which shall be substituted for section seven of this article, if approved by a majority of those voting on the proposition:

"Each county shall have one member of a House of Representatives consisting of not less than 175 nor more than 200 members, all other members shall be distributed to the larger counties in proportion to the number of voters who voted for Governor at the last regular election at which a Governor was elected previous to the apportionment. In successive reapportionments the numerical representation on any county shall not be reduced.

"The districts, in counties having more than one representative, shall be formed of compact and contiguous territory, bounded by ward or precinct line and containing, as nearly as practicable, an equal number of voters, but in no case less than four-fifths the counties ratio."

Mr. Trautmann raised the point of order that the amendment was out of order for the reason that it was not germain to the subject matter under consideration.

And the point of order was sustained.

Mr. Revell offered the following amendment and moved its adoption:

AMENDMENT No. 32.

Amend section 8 by adding the following:

"And no legislative business shall be transacted until the reapportionment of the State shall be completed."

And the amendment was lost.

Mr. Quinn offered the following amendment and moved its adoption:

AMENDMENT No. 33.

Amend section 8 by substituting therefor the following:

"Section 8. In case the General Assembly fail to make such apportionment at its first session, following the time fixed in this Constitution, then and in that event, no act passed in such General Assembly or succeeding sessions of the General Assembly so failing to make such apportionment, shall go into effect save, and only, acts appropriating money for the purpose of meeting the expenses of the State Government."

The question being on the adoption of Amendment No. 33, a division of the Convention was had, resulting as follows: Yeas, 53; nays, 22.

And the amendment was adopted.

Mr. Coolley offered the following as a substitute for section 8, as amended, and moved its adoption:

Amend section 8, as amended, to read as follows:

"The General Assembly shall enter into no business except the appropriation of money for the necessary administration of government and the enactment of emergency legislation until all apportionments have been made in accordance with this Constitution."

And the substitute for section 8 was lost.

Mr. Davis moved to reconsider the vote by which the substitute for section 8 was adopted.

The question being on the motion to reconsider, a division of the Convention was had, resulting as follows: Yeas, 49; nays, 32.

And the motion prevailed.

The question recurring on the adoption of the substitute for section 8, offered by Mr. Quinn, it was decided in the negative.

Pending discussion Mr. Davis moved the previous question.

And the question being, "Shall the main question be now put?" it was decided in the affirmative.

The question then being on the adoption of section 8, a call of the roll was had, resulting as follows: Yeas, 61; nays, 22.

Those voting in the affirmative are: Messrs.

Adamkiewicz	Dietz	Hull	Miller	Smith
Baldwin	Dryer	Iarussi	Moore	Sneed
Barr	Dupuy, G. A.	Jack	Morris	Sutherland
Beckman	Fyke	Johnson, L. C.	O'Brien	Tebbens
Brenholt	Gale	Kunde	Paddock	Torrance
Carlstrom	Ganschow	Latchford	Parker	Traeger
Clarke	Garrett	Lill	Pincus	Trautmann
Corlett	Gray	Lindly	Quinn	Wall
Cruden	Green	Mayer	Revell	Wilson
Cutting	Hamill	McEwen	Rosenberg	Wolff
Davis	Hogan	McGuire	Shanahan	Woodward
Dawes	Hollenbeck	Michal	Shuey	Mr. President
De Young				Yeas—61.

Those voting in the negative are: Messrs.

Adams	Coolley	Gilbert	Mack	Nichols
Brandon	Dunlap	Goodyear	Meinert	Pinnell
Brewster	Elting	Jarman	Mighell	Stahl
Catron	Fifer	Kerrick	Mills	Taff
Chew	Gee			Nays—22.

Answering present but not voting are: Messrs.

Rinaker	Six	Warren	Present—3.

Section 8, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Mr. Cutting moved to reconsider the vote by which section 8 was adopted.

Mr. Hamill moved to lay that motion on the table.

And the question being on the motion to table, it was decided in the affirmative.

At the hour of 12:45 o'clock p. m., Mr. Hamill moved that the Convention do now take a recess until 2:00 o'clock p. m.

And the motion prevailed.

2:00 o'Clock P. M.

The hour of 2:00 o'clock p. m., having arrived, the Convention resumed its session.

The President presiding.

The Convention proceeding upon the consideration of Report No. 17, of the Committee on Phraseology and Style, on the subject of Counties, section 1 was again taken up.

Whereupon Mr. Brenholt offered the following amendment and moved its adoption:

Amendment No. 15.

Amend section 1, as amended, by striking out in the first sentence the words "who shall be ex-officio collector of taxes" and by adding in lieu thereof "who shall also be ex-officio collector of taxes unless otherwise provided by law."

So that the section will read:

"Section 1. In each county there shall be elected in 1926 a sheriff, a county clerk, who shall be clerk of the County Court, and a treasurer, who

shall also be ex-officio collector of taxes until otherwise provided by law; and in 1924 a coroner, and a clerk of the Circuit Court who shall be ex-officio recorder of deeds except in counties of 60,000 or more population, where a recorder of deeds shall be elected, and in counties of fifty thousand population or more a county auditor may be selected as provided by law. In each county there shall be an assessor to be selected as the General Assembly may provide. No elected treasurer shall succeed himself."

The question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 33; nays, 22.

And the amendment was adopted.

Mr. Taff offered the following amendment and moved its adoption:

AMENDMENT No. 16.

Amend section 1, as amended by striking out the words "who shall also be ex-officio collector of taxes."

And the amendment was lost.

Mr. Gilbert offered the following amendment and moved its adoption:

AMENDMENT No. 17.

Amend section 1, as amended, by inserting the words "Sheriff or" in the last line thereof."

The question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 23; nays, 44.

And the amendment was lost.

The question then being on the adoption of section 1, as amended, a call of the roll was had, resulting as follows: Yeas, 79; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Hollenbeck	Michal	Smith
Adamkiewicz	Dietz	Hull	Mighell	Sneed
Baldwin	Dryer	Iarussi	Miller	Stahl
Barr	Dunlap	Jack	Mills	Sutherland
Beckman	Dupuy, G. A.	Jarman	Moore	Tebbens
Brandon	Elting	Johnson, L. C.	O'Brien	Todd
Brenholt	Gale	Kerrick	Parker	Torrance
Brewster	Ganschow	Kunde	Pincus	Traeger
Carlstrom	Garrett	Latchford	Pinnell	Trautmann
Catron	Gee	Lill	Quinn	Wall
Clarke	Gilbert	Lindly	Revell	Warren
Coolley	Goodyear	Mack	Rinaker	Wilson
Corlett	Gray	Mayer	Rosenberg	Wolff
Cruden	Green	McEwen	Shanahan	Woodward
Cutting	Hamill	McGuire	Shuey	Mr. President
Davis	Hogan	Meinert	Six	

Yeas—79.
Nays—0.

Section 1, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Mr. Gale asked unanimous consent of the Convention to make a motion to reconsider the vote by which section 7, of Report No. 12, was heretofore adopted, for the purpose of offering a specific amendment.

Unanimous consent being refused, Mr. Gale moved that Rule 62 be suspended.

Mr. Dunlap raised the point of order that the motion was out of order, for the reason that it incorporated the specific purpose for which the motion was made.

And the point of order was not sustained.

Whereupon an appeal from the decision of the chair was taken.

And the question being, "Shall the decision of the chair stand as the decision of the Convention?" a division of the Convention was had, resulting as follows: Yeas, 50; nays, 19.

And the decision of the chair was sustained.

The question recurring on the motion to suspend Rule 62, a call of the roll was had, resulting as follows: Yeas, 57; nays, 25.

Those voting in the affirmative are: Messrs.

Adamkiewicz	De Young	Hollenbeck	McGuire	Shanahan
Baldwin	Dietz	Hull	Meinert	Six
Barr	Dupuy, G. A.	Iarussi	Michal	Sutherland
Beckman	Fyke	Jack	Miller	Tebbens
Brenholt	Gale	Johnson, L. C.	O'Brien	Todd
Carlstrom	Ganschow	Kunde	Paddock	Traeger
Clarke	Garrett	Latchford	Parker	Trautmann
Corlett	Gilbert	Lill	Pincus	Wilson
Cruden	Gray	Lindly	Quinn	Wolff
Cutting	Green	Mayer	Revell	Woodward
Davis	Hamill	McEwen	Rosenberg	Mr. President
Dawes	Hogan			Yeas—57.

Those voting in the negative are: Messrs.

Adams	Dryer	Goodyear	Mills	Sneed
Brandon	Dunlap	Jarman	Moore	Stahl
Brewster	Elting	Kerrick	Pinnell	Taff
Catron	Fifer	Mack	Rinaker	Wall
Coolley	Gee	Mighell	Smith	Warren
				Nays—25.

The motion having received more than a two-thirds vote was declared carried, and the rule was suspended.

Whereupon Mr. Gale moved that the vote by which section 7, of Report No. 12, was heretofore adopted on February 7th, be now reconsidered for the sole and only purpose of offering one amendment.

Mr. Jarman raised the point of order that the motion was out of order, for the reason that the specific purpose for which it was made precluded other amendments.

And the point of order was not sustained.

The question then being on the motion to reconsider, it was decided in the affirmative.

Whereupon Mr. Gale offered the following amendment and moved its adoption:

AMENDMENT No. 34.

Amend section 7, Report No. 12, by adding at the end of the first paragraph thereof the following:

"But a county having less than four-fifths of a ratio may be joined with an adjoining county having less than a ratio, in forming a district; and counties having less than four-fifths of a ratio may be formed into districts of one or more counties, and such districts shall be as near a ratio as practicable; and when of more than one county, such counties shall be adjoining."

Pending discussion, by unanimous consent, Mr. Mighell offered the following amendment as a substitute for Amendment No. 34, and moved its adoption:

Amend section 7 of the Legislative Article by striking out the words "but no district shall contain less than 4/5 of the representation ratio" where those words appear in the last clause of the first paragraph, change comma to period and in lieu of said clause insert the following:

"Counties not having fourfifths of a representation ration may be formed into districts of one or more counties and such districts shall be of contiguous territory and shall be as near a ratio as practicable.'

At the end of the section, after the word "ratio" there shall be added as part of the section the following:

"At the general State election in the year 1926 there shall be submitted to the election, by printing the same at the top of the ballot containing the names of candidates, the following constitutional amendment which shall be substituted for this section if approved by a majority of those voting on the proposition.

"Each county shall have one member of a House of Representatives consisting of not less than 175 nor more than 200 members, all other members shall be distributed to the larger counties in proportion to the number of voters who voted for Governor at the last regular election at which a Governor was elected previous to the apportionment. In successive reapportionments the numerical representation on any county shall not be reduced.

"The districts, in counties having more than one representative, shall be formed of compact and contiguous territory, bounded by ward or precinct line and containing, as nearly as practicable, an equal number of voters, but in no case less than four-fifths the counties ratio."

And the question being on the adoption of the substitute, on demand of five Delegates, a call of the roll was had, resulting as follows: Yeas, 21; nays, 57.

Those voting in the affirmative are: Messrs.

Adams	Gee	Jarman	Mills	Sneed
Brewster	Gilbert	Kerrick	Pinnell	Stahl
Dunlap	Goodyear	Mack	Rinaker	Taff
Elting	Hogan	Mighell	Shuey	Wall
Fifer				

Yeas—21.

Those voting in the negative are: Messrs.

Adamkiewicz	De Young	Iarussi	Miller	Sutherland
Baldwin	Dietz	Jack	Moore	Tebbens
Barr	Dryer	Johnson, L. C.	O'Brien	Todd
Beckman	Dupuy, G. A.	Kunde	Paddock	Torrance
Cary, C. D.	Fyke	Latchford	Parker	Traeger
Carlstrom	Gale	Lill	Pincus	Trautmann
Clarke	Ganschow	Lindly	Quinn	Warren
Corlett	Garrett	Mayer	Revell	Wilson
Cruden	Green	McEwen	Rosenberg	Wolff
Cutting	Hamill	McGuire	Shanahan	Woodward
Davis	Hollenbeck	Michal	Six	Mr. President
Dawes	Hull			

Nays—57.

Answering present but not voting: Messrs.

Brandon	Brenholt	Coolley	Meinert	Present—4.

And the substitute for Amendment No. 34 was lost.

The question recurring on the adoption of Amendment No. 34, it was decided in the affirmative.

The question then being on the adoption of section 7, as amended, a call of the roll was had, resulting as follows: Yeas, 78; nays, 4.

Those voting in the affirmative are: Messrs.

Adamkiewicz	Dawes	Hogan	Miller	Smith
Baldwin	De Young	Hollenbeck	Mills	Sneed
Barr	Dietz	Hull	Moore	Stahl
Beckman	Dryer	Jack	O'Brien	Sutherland
Brandon	Dunlap	Johnson, L. C.	Paddock	Tebbens
Brenholt	Dupuy, G. A.	Kunde	Parker	Todd
Brewster	Elting	Latchford	Pincus	Torrance
Cary, C. D.	Fyke	Lill	Pinnell	Traeger
Carlstrom	Gale	Lindly	Quinn	Trautmann
Catron	Ganschow	Mack	Revell	Wall
Clarke	Garrett	Mayer	Rinaker	Warren
Coolley	Gilbert	McEwen	Rosenberg	Wilson
Corlett	Goodyear	McGuire	Shanahan	Wolff
Cruden	Gray	Meinert	Shuey	Woodward
Cutting	Green	Michal	Six	Mr. President
Davis	Hamill			Yeas—78.

Those voting in the negative are: Messrs.

Jarman	Kerrick	Mighell	Taff	Nays—4.

Section 7, having receive the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Mr. Davis moved to reconsider the vote by which section 7, of Report No. 12, was adopted.

Mr. Hamill moved to lay that motion on the table.

And the question being on the motion to table, it was decided in the affirmative.

Mr. Carlstrom called up his motion of yesterday to reconsider the vote by which Report No. 14, of the Committee on Phraseology and Style, had failed to pass.

The question being on the motion to reconsider, it was decided in the affirmative.

And Report No. 14, of the Committee on Phraseology and Style, was again taken up.

Whereupon Mr. Carlstrom offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend Report No. 14 as reported by the Committee on Phraseology and Style, in line 8 after the word "shall" by inserting the words "be amortized in not to exceed thirty-three years and shall" and after the word "by" by inserting the word "first."

So that the sentence as amended will read as follows:

"Such loans shall be amortized in not to exceed thirty-three years and shall be secured by first mortgages or deeds of trust made by those owning, occupying and cultivating the lands pledged."

And the amendment was adopted.

Mr. Rinaker offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend Report No. 14 by striking out the words, "on the question."

Mr. Dunlap moved to lay the amendment on the table.

The question being on the motion to table, a division of the Convention was had, resulting as follows: Yeas, 37; nays, 31.

And Amendment No. 3 was ordered to lie on the table.

Mr. Sutherland moved the previous question on Report No. 14.

And the question being, "Shall the main question be now put?" it was decided in the affirmative.

The question then being on the adoption of Report No. 14, as amended, a call of the roll was had, resulting as follows: Yeas, 53; nays, 26.

Those voting in the affirmative are: Messrs.

Adams	Dietz	Hollenbeck	Meinert	Shuey
Barr	Dryer	Hull	Michal	Six
Beckman	Dunlap	Jack	Mighell	Smith
Brandon	Elting	Jarman	Miller	Sneed
Brenholt	Gale	Johnson, L. C.	Mills	Stahl
Carlstrom	Garrett	Kerrick	Moore	Torrance
Catron	Gee	Lill	Paddock	Trautmann
Clarke	Gilbert	Lindly	Parker	Wall
Coolley	Goodyear	Mack	Pinnell	Warren
Corlett	Gray	McEwen	Quinn	Wolff
Dawes	Hogan	McGuire		

Yeas—53.

Those voting in the negative are: Messrs.

Adamkiewicz	Green	Mayer	Rosenberg	Todd
Baldwin	Hamill	O'Brien	Shanahan	Traeger
Cary, C. D.	Iarussi	Pincus	Sutherland	Wilson
Cutting	Kunde	Revell	Taff	Woodward
Fyke	Latchford	Rinaker	Tebbens	Mr. President
Ganschow				

Nays—26.

Answering present but not voting: Mr. Brewster

Present—1.

Report No. 14, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Mr. Barr moved to reconsider the vote by which Report No. 14 was adopted.

Mr. Dunlap moved to lay that motion on the table.

And the question being on the motion to table, it was decided in the affirmative.

At the hour of 5:40 o'clock p. m., Mr. Hamill moved that the Convention do now take a recess until 8:00 o'clock p. m.

The question being on the motion to take a recess, a division of the Convention was had, resulting as follows: Yeas, 48; nays, 27.

And the motion prevailed.

8:00 o'Clock P. M.

The hour of 8:00 o'clock p. m. having arrived the Convention resumed its session.

The President presiding.

The Convention proceeding upon the consideration of Report No. 4, of the Committee on Phraseology and Style, on the subject of Education, section 4 thereof was again taken up.

Whereupon Mr. Dietz offered the following as a substitute for section 4, as amended, and moved its adoption:

Amend section 4 by substituting therefor the following:

"Section 4. Except in payment of temporary rent, of temporary hospital service, or of purchase price, or, (in the event, and only in the event,

that other institutions or agencies are not adequate or available), of not to exceed the cost of temporarily maintaining and supporting during their terms of commitment, neglected, defective, dependent or delinquent persons, committed by courts of competent jurisdiction to institutions or agencies under public inspection, no public money shall be paid or other public property be given or applied for any sectarian purpose or to any institution controlled by a church or sect."

And the substitute for section 4 was adopted.

Mr. Davis offered the following amendment and moved its adoption:

AMENDMENT No. 16.

Amend section 4, as amended, by striking out the word "other" in line 3, and inserting in lieu thereof the word "public."

The question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 44; nays, 32.

And the amendment was adopted.

The question then being on the adoption of section 4, as amended, a call of the roll was had, resulting as follows: Yeas, 73; nays, 6.

Those voting in the affirmative are: Messrs.

Adamkiewicz	Dawes	Hull	Michal	Smith
Baldwin	Dietz	Iarussi	Miller	Sneed
Barr	Dunlap	Jack	Mills	Sutherland
Beckman	Dupuy, G. A.	Jarman	Moore	Tebbens
Brenholt	Fifer	Johnson, L. C.	O'Brien	Todd
Brewster	Gale	Kerrick	Paddock	Torrance
Cary, C. D.	Ganschow	Kunde	Parker	Traeger
Carlstrom	Garrett	Latchford	Pincus	Trautmann
Catron	Gilbert	Lill	Quinn	Wall
Clarke	Goodyear	Lindly	Revell	Warren
Coolley	Gray	Mack	Rosenberg	Wilson
Corlett	Green	Mayer	Shanahan	Wolff
Cruden	Hamill	McEwen	Shuey	Woodward
Cutting	Hogan	McGuire	Six	Mr. President
Davis	Hollenbeck	Meinert		

Yeas—73.

Those voting in the negative are: Messrs.

Adams	Mighell	Pinnell	Stahl	Taff
Brandon				

Nays—6.

Answering present but not voting: Mr. Rinaker

Present—1.

Mr. Davis moved to reconsider the vote by which section 4 was adopted.

Mr. Shanahan moved to lay that motion on the table.

And the question being on the motion to table, it was decided in the affirmative.

The Convention proceeding upon the consideration of Report No. 8, of the Committee on Phraseology and Style, on the subject of Chicago and Cook County, section 15 thereof was taken up and read at large.

Whereupon Mr. Hull offered the following amendment and moved its adoption:

AMENDMENT No. 11.

Amend section 15 by striking out the words "5 per cent of the full value of the taxable property therein" and inserting in lieu thereof the following: "7 per cent of the full value of the taxable real property therein," and by inserting the word "real" after the word "taxable" in line 16.

And the amendment was adopted.

Mr. Miller offered the following amendment and moved its adoption:

AMENDMENT No. 12.

Amend section 15 by adding thereto the following:.

"No municipal corporation wholly or partly within the city (except the County of Cook) shall hereafter have its indebtedness increased without the city's consent."

And the amendment was lost.

The question then being on the adoption of section 15, as amended, a call of the roll was had, resulting as follows: Yeas, 69; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Gray	McGuire	Six
Adamkiewicz	Davis	Green	Meinert	Smith
Baldwin	Dawes	Hamill	Michal	Sneed
Barr	De Young	Hogan	Miller	Sutherland
Beckman	Dryer	Hollenbeck	Mills	Tebbens
Brandon	Dunlap	Hull	Moore	Todd
Brenholt	Dupuy, G. A.	Iarussi	O'Brien	Traeger
Cary, C. D.	Elting	Jack	Paddock	Trautmann
Carlstrom	Gale	Johnson, L. C.	Parker	Wall
Catron	Ganschow	Kunde	Pincus	Warren
Clarke	Garrett	Latchford	Quinn	Wolff
Coolley	Gee	Lill	Revell	Woodward
Corlett	Gilbert	Lindly	Rosenberg	Mr. President
Cruden	Goodyear	McEwen	Shuey	

Yeas—69.
Nays—0.

Answering present but not voting: Messrs.

Mayer Mighell

Present—2.

Section 15, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Mr. Hull offered the following amendment to Report No. 8, to be known as section 15A, and moved its adoption:

AMENDMENT No. 13.

Amend Report No. 8, by adding a new section thereto to be known as section 15A, as follows:

"Section 15A. Neither the county of Cook nor any city, township school district or other municipal corporation in said county shall become indebted in the aggregate, including its existing debt to an amount exceeding 7 per cent of the value of the taxable real property therein as ascertained by the last assessment for State and county taxes previous to incurring the debt. The corporate body incurring any such debt shall before or at the time of doing so provide for the collection of a direct annual tax sufficient to pay the interest on the debt and to pay the principal thereof in equal annual installments within twenty years, but provision may be made for the payment of any part of such debt in advance."

And the amendment was adopted.

And the question being on the adoption of section 15A, a call of the roll was had, resulting as follows: Yeas, 75; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Hamill	Meinert	Shuey
Adamkiewicz	De Young	Hogan	Michal	Six
Baldwin	Dietz	Hollenbeck	Mighell	Smith
Barr	Dryer	Hull	Miller	Sneed
Beckman	Dunlap	Iarussi	Mills	Sutherland
Brandon	Dupuy, G. A.	Jack	Moore	Tebbens
Brenholt	Elting	Jarman	O'Brien	Todd
Cary, C. D.	Fifer	Johnson, L. C.	Paddock	Traeger
Carlstrom	Gale	Kunde	Parker	Wall
Catron	Ganschow	Latchford	Pincus	Warren
Clarke	Garrett	Lill	Pinnell	Wilson
Coolley	Gee	Lindly	Quinn	Wolff
Corlett	Goodyear	Mack	Revell	Woodward
Cruden	Gray	McEwen	Rosenberg	Mr. President
Cutting	Green	McGuire	Shanahan	
Davis				Yeas—75.
				Nays—0.

Answering present, but not voting: Mr. Mayer

Present—1.

Section 15A, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 15½ was taken up and read at large.

Whereupon Mr. Miller offered the following amendment and moved its adoption:

AMENDMENT No. 14.

Amend section 15½ by adding the word "neither" as the first word and adding after the word "Chicago" the following "nor any of the municipal corporations authorized by this article to be consolidated therewith" and changing "no" to "any" so that it will read: "Neither the City of Chicago nor any of the municipal corporations authorized by this article to be consolidated herewith shall incur any."

The question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 27; nays, 39.

And the amendment was lost.

The question then being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 72; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	De Young	Hollenbeck	Michal	Six
Adamkiewicz	Dryer	Hull	Miller	Smith
Baldwin	Dunlap	Iarussi	Mills	Sneed
Barr	Dupuy, G. A.	Jack	Moore	Sutherland
Beckman	Elting	Jarman	O'Brien	Taff
Brandon	Gale	Johnson, L. C.	Paddock	Tebbens
Brenholt	Ganschow	Kunde	Parker	Todd
Carlstrom	Garrett	Latchford	Pincus	Traeger
Clarke	Gee	Lill	Pinnell	Wall
Coolley	Gilbert	Lindly	Quinn	Warren
Corlett	Goodyear	Mack	Revell	Wolff
Cruden	Gray	Mayer	Rosenberg	Woodward
Cutting	Green	McEwen	Shanahan	Mr. President
Davis	Hamill	McGuire	Shuey	
Dawes	Hogan	Meinert		Yeas—72.
				Nays—0.

Answering present but not voting: Messrs. Cary, C. D. Stahl

Present—2.

Section 15½, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

By unanimous consent, on motion of Mr. Hull, consideration of sections 16 and 17 was postponed.

Mr. Hull offered the following amendments to Report No. 8, to be known as sections 16a and 17a, and moved their adoption:

AMENDMENT No. 15.

Amend Report No. 8, by adding a new section thereto to be known as section 16A, as follows:

"Section 16A. The City of Chicago may issue bonds (in addition to any debt otherwise permitted by this Constitution) up to 15 per cent of the full value of the taxable real property therein as ascertained by the last assessment for State and county taxes previous to the issuing fo such bonds; but any such bonds may be issued only for acquiring, leasing, constructing or operating income-producing property for supplying transportation, communication, light, heat, power or water. At or before the time of issuing any such bonds the city shall provide for the collection of a direct annual tax sufficient to pay the interest thereon and the principal thereof within thirty years. Unless otherwise provided in the ordinance authorizing the issuance of any bonds for financing any such income-producing public utility such bonds shall be held to be issued under the foregoing provisions of this section.

"The city having issued bonds under the provisions of this section shall thereafter, at least four months before any tax for the payment of the principal and interest of any such bonds or for the payment of the principal and interest of any other indebtedness incurred for financing the same utility becomes collectible by law, deposit with its treasurer, out of the gross earnings of the utility for financing which the debt to be discharged by any such tax was incurred, a sum equal in amount to such tax. The money so deposited shall be used only to pay such principal and interest. To the extent that such funds are deposited prior to the collection of any such tax it shall not be collected.

"The city having issued bonds under the provisions of this section shall thereafter establish and maintain such rates or charges for the service supplied as may be necessary to provide at least sufficient revenue to pay (a) the principal and interest of all outstanding bonded or other indebtedness incurred for financing such utility, and (b) the cost and expense involved in or incidental to the ownership, operation and maintenance of such utility, including reserves for repairs and renewals necessary to maintain the properties in first class condition.

"Any taxpayer of the city shall have the right (which shall not be exclusive in him) to enforce the provisions of this section by appropriate proceedings in the Circuit Court of the county. Such court shall enforce these provisions and for such purpose shall have all necessary powers including the power to regulate the service supplied by any such utility."

AMENDMENT No. 16.

Amend section No. 8, by adding a new section thereto to be known as section 17a, as follows:

"Section 17a. Each issue of bonds or other securities by the city for financing any income-producing public utility shall be payable in substantially equal annual installments of principal and interest combined beginning not more than five years from the date thereof, but provisions may be made for the payment of any part of such debt in advance. No such bonds or other securities shall be issued unless the proposition therefor is approved at an election by a majority of those voting on the question.

The City of Chicago if it shall own or operate any such public utility, shall conform to the requirements for keeping such account and for the audit thereof and for making reports that may be prescribed by law for a like utility privately owned.

Laws may be passed in aid of this and the preceding section."

Pending consideration, at the hour of 11:18 o'clock p. m., Mr. Mayer moved that the Convention do now adjourn.

The motion was lost.

And the Convention refused to adjourn.

The question recurring on the adoption of Amendment No. 15, it was decided in the affirmative.

The question then being on the adoption of the section, pending roll call, on motion of Mr. Davis, further consideration of section 16a was postponed.

By unanimous consent Mr. Shanahan was excused from attendance at the sessions of the Convention tomorrow.

At the hour of 11:30 o'clock p. m., Mr. Hamill moved that the Convention do now adojurn until 9:00 o'clock a. m. tomorrow.

The motion prevailed.

And the Convention stood adjourned.

FRIDAY, MAY 5, 1922, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. Lewis B. Landreth, of the Immaculate Conception Church, of Carthage.

The Journal of Wednesday, May 3, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing was ordered to stand approved.

In accordance with the resolution adopted April 25, the Secretary called the roll of the Convention, which resulted as follows: Present, 78.

Those voting present were: Messrs.

Adams	Davis	Gray	McEwen	Smith
Adamkiewicz	Dawes	Green	McGuire	Sneed
Baldwin	De Young	Hamill	Meinert	Stahl
Barr	Dietz	Hogan	Miller	Sutherland
Beckman	Dryer	Hollenbeck	Mills	Taff
Brandon	Dunlap	Hull	Moore	Tebbens
Brenholt	Dupuy, G. A.	Iarussi	Paddock	Todd
Brewster	Elting	Jack	Pincus	Torrance
Cary, C. D.	Fifer	Jarman	Pinnell	Traeger
Carlstrom	Fyke	Johnson, L. C.	Quinn	Trautmann
Catron	Gale	Kerrick	Revell	Wall
Clarke	Ganschow	Kunde	Rinaker	Warren
Coolley	Garrett	Latchford	Rosenberg	Wilson
Corlett	Gee	Lill	Shuey	Wolff
Cruden	Gilbert	Lindly	Six	Mr. President
Cutting	Goodyear	Mack		Present—78.

By unanimous consent, Mr. Nichols was excused from attendance at the sessions of the Convention for the balance of this week.

The Convention proceeding upon the consideration of Report No. 18, of the Committee on Phraseology and Style, on the subject of Judicial Department, section 26, of the report of the Committee of the Whole, was taken up and read at large.

Mr. Sutherland moved the previous question on section 26.

And the question being "Shall the main question be now put?" it was decided in the affirmative.

Mr. DeYoung offered the following as a substitute for section 26, and moved its adoption:

Amend section 26 by substituting therefor the following:

"Section 26. The county of Cook shall constitute one judicial circuit. On the first Monday of May, A. D. 1923, the Circuit, Superior, Criminal, County and Probate Courts of Cook County, the Municipal Court of Chicago and the City Court of Chicago Heights shall be consolidated into one court of record, to be known as the Circuit Court of Cook County."

The question being on the adoption of the substitute, a division of the Convention was had, resulting as follows: Yeas, 42; nays, 22.

And the substitute for Amendment No. 26 was adopted.

The question then being on the adoption of section 26, as amended, a call of the roll was had, resulting as follows: Yeas, 59; nays, 14.

Those voting in the affirmative are: Messrs.

Baldwin	Cutting	Green	Miller	Sutherland
Barr	Davis	Hamill	Moore	Taff
Beckman	Dawes	Hogan	Paddock	Todd
Brandon	De Young	Hull	Pinnell	Torrance
Brenholt	Dryer	Jack	Quinn	Traeger
Brewster	Dunlap	Johnson, L. C.	Revell	Trautmann
Cary, C. D.	Fifer	Kerrick	Rinaker	Wall
Carlstrom	Gale	Lill	Shuey	Warren
Catron	Gee	Lindly	Six	Wilson
Clarke	Gilbert	Mack	Smith	Wolff
Coolley	Goodyear	McGuire	Sneed	Mr. President
Corlett	Gray	Meinert	Stahl	Yeas—59.

Those voting in the negative are: Messrs.

Adams	Elting	Iarussi	Latchford	Pincus
Adamkiewicz	Ganschow	Jarman	McEwen	Tebbens
Dupuy, G. A.	Garrett	Kunde	Mills	Nays—14.

Answering present but not voting: Messrs.

Cruden	Hollenbeck	Present—2.

Section 26, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 27, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 27, and moved its adoption:

Amend section 27 by substituting therefor the following:

"Section 27. The Circuit Court of Cook County shall have original jurisdiction of all causes, matters and proceedings of every kind and nature requiring judicial action and of appeals from justices of the peace."

And the substitute for section 27 was adopted.

The question then being on the adoption of section 27, as amended, a call of the roll was had, resulting as follows: Yeas, 70; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Green	Mack	Sneed
Adamkiewicz	Dawes	Hamill	McGuire	Stahl
Baldwin	De Young	Hogan	Meinert	Sutherland
Barr	Dryer	Hollenbeck	Michal	Taff
Beckman	Dunlap	Hull	Mills	Todd
Brandon	Elting	Iarussi	Moore	Torrance
Brenholt	Fifer	Jack	Paddock	Traeger
Brewster	Gale	Jarman	Pinnell	Trautmann
Cary, C. D.	Ganschow	Johnson, L. C.	Quinn	Wall
Carlstrom	Garrett	Kerrick	Revell	Warren
Catron	Gee	Kunde	Rinaker	Wilson
Clarke	Gilbert	Latchford	Shuey	Wolff
Coolley	Goodyear	Lill	Six	Mr. President
Cruden	Gray	Lindly	Smith	Yeas—70.
Cutting				Nays—0.

Answering present but not voting: Messrs.

McEwen	Pincus	Tebbens	Present—3.

Section 27, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 28, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 28, and moved its adoption:

Amend section 28 by substituting therefor the following:

"Section 28. The Circuit Court of Cook County shall consist of thirty-three judges until their number shall be increased or decreased as herein

provided. The judges of the Circuit, Superior, County and Probate Courts of Cook County in office on the first Monday of May, A. D. 1923, except the judges of the Circuit and Superior Courts of Cook County, by the adoption of this Constitution made judges of the Appellate Court for the First District, whose offices as judges of the Circuit and Superior Court of said county thereby cease to exist, shall be the judges of said consolidated court and shall continue to hold office during the respective terms for which they were elected or appointed, and until their successors are elected and shall qualify. The Chief Justice and the associate judges of the Municipal Court of Chicago shall be associate judges of said Circuit Court and shall continue to hold office during the respective terms for which they were elected or appointed as Chief Justice or associate judges of the Municipal Court of Chicago and one year in addition thereto, at the end of which terms their respective offices as associate judges of said Circuit Court shall cease to exist. The term of office of judges of the Circuit Court of Cook County elected after the adoption of this Constitution, other than judges elected or appointed to fill unexpired terms, shall be six years from the day of their election. There shall be elected to the office of judge of the Circuit Court of Cook County, at the annual election in November, A. D. 1923, successors to such of the judges of the Superior Court whose terms shall expire in said year; at the annual election in November, A. D. 1925, a successor to the judge of the Superior Court whose term shall expire in said year, together with eight additional judges of said Circuit Court; at the annual election in November A. D. 1927, successors to the judges of the Circuit Court and to the judge of the Superior Court whose terms shall expire in said year, and to the judges of the County and Probate Courts, elected in the year, A. D. 1922, together with eight additional judges of said Circuit Court; at the annual election in November, A. D. 1929, successors to the judges of the Circuit Court whose terms shall expire in said year, together with eight additional judges of said Circuit Court. Subsequently at the annual election in November of the year in which the terms of any judges of said consolidated court shall expire and every six years thereafter successors to such judges shall be elected. At all elections for judges of the Circuit Court of Cook County the ballots for such judges shall be separate and distinct from the ballots for all other officers."

And the substitute for section 28 was adopted.

The question then being on the adoption of section 28, as amended, a call of the roll was had, resulting as follows: Yeas, 69; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Green	Mack	Sneed
Adamkiewicz	Dawes	Hamill	McGuire	Stahl
Barr	De Young	Hogan	Meinert	Sutherland
Beckman	Dryer	Hollenbeck	Miller	Taff
Brandon	Dunlap	Hull	Mills	Todd
Brenholt	Elting	Iarussi	Moore	Torrance
Brewster	Fifer	Jack	Paddock	Traeger
Cary, C. D.	Gale	Jarman	Pinnell	Trautmann
Carlstrom	Ganschow	Johnson, L. C.	Quinn	Wall
Catron	Garrett	Kerrick	Revell	Warren
Clarke	Gee	Kunde	Rinaker	Wilson
Coolley	Gilbert	Latchford	Shuey	Wolff
Corlett	Goodyear	Lill	Six	Mr. President
Cruden	Gray	Lindly	Smith	

Yeas—69.
Nays—0.

Answering present but not voting: Mr. McEwen

Present—1.

Section 28, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 29, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 29 and moved its adoption:

Amend section 29 by substituting therefor the following:

"Section 29. The associate judges of the Circuit Court of Cook County shall, until the termination of their respective offices, perform such judicial duties in the classes of cases which were within the jurisdiction of the Criminal Court of Cook County at the time of the adoption of this Constitution, and also in the classes of cases arising in the county of Cook of which, if arising in the city of Chicago, the Municipal Court of Chicago had jurisdiction at the time of the adoption of this Constitution, as they may be assigned to perform; and during the periods of their terms of office as such associate judges, they shall receive the salaries allowed them by the laws in force on the first Monday of May, A. D. 1922, one-half of which salaries shall be payable out of the State treasury and one-half out of the county treasury of Cook County."

And the substitute for section 29 was adopted.

The question then being on the adoption of section 29, as amended, a call of the roll was had, resulting as follows: Yeas, 69; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Gray	Mack	Sneed
Adamkiewicz	Dawes	Green	McGuire	Stahl
Barr	De Young	Hamill	Meinert	Sutherland
Beckman	Dryer	Hogan	Miller	Taff
Brandon	Dunlap	Hollenbeck	Mills	Todd
Brenholt	Dupuy, G. A.	Hull	Moore	Torrance
Brewster	Elting	Iarussi	Paddock	Traeger
Cary, C. D.	Fifer	Jack	Pinnell	Trautmann
Carlstrom	Gale	Johnson, L. C.	Quinn	Wall
Catron	Ganschow	Kerrick	Revell	Warren
Clarke	Garrett	Kunde	Rinaker	Wilson
Coolley	Gee	Latchford	Shuey	Wolff
Corlett	Gilbert	Lill	Six	Mr. President
Cruden	Goodyear	Lindly	Smith	

Yeas—69.
Nays—0.

Answering present but not voting: Messrs.

McEwen Pincus

Present—2.

Section 29, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 30, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 30, and moved its adoption:

Amend section 30 by substituting therefor the following:

"Section 30. The Circuit Court of Cook County shall sit at the city of Chicago. The General Assembly may, however, provide for the holding of branches of said court in cities, villages and incorporated towns within said county, other than the city of Chicago, which have a population of at least five thousand inhabitants, providing suitable quarters for the holding of such branches of said court shall be provided by such cities, villages and incorporated towns without expense to the county or the State."

And the substitute for section 30 was adopted.

The question then being on the adoption of section 30, as amended, a call of the roll was had, resulting as follows: Yeas, 70; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Green	McEwen	Sneed
Adamkiewicz	Davis	Hamill	McGuire	Stahl
Baldwin	Dawes	Hogan	Meinert	Sutherland
Barr	De Young	Hollenbeck	Miller	Taff
Beckman	Dryer	Hull	Mills	Todd
Brandon	Dunlap	Iarussi	Moore	Torrance
Brenholt	Dupuy, G. A.	Jack	Paddock	Traeger
Brewster	Elting	Jarman	Pinnell	Trautmann
Cary, C. D.	Fifer	Johnson, L. C.	Quinn	Wall
Carlstrom	Gale	Kerrick	Revell	Warren
Catron	Ganschow	Kunde	Rinaker	Wilson
Clarke	Gee	Latchford	Shuey	Wolff
Coolley	Gilbert	Lill	Six	Mr. President
Corlett	Goodyear	Lindly	Smith	Yeas—70.
Cruden	Gray	Mack		Nays—0.

Answering present but not voting: Mr. Pincus

Present—1.

Section 30, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

At the hour of 12:40 o'clock p. m., Mr. Gale moved that the Convention do now take a recess until 2:00 o'clock p. m.

And the motion prevailed.

2:00 o'Clock P. M.

The hour of 2:00 o'clock p. m. having arrived, the Convention resumed its session.

The President presiding.

Section 31, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 31, and moved its adoption:

Amend section 31 by substituting therefor the following:

"Section 31. The Supreme Court shall establish two divisions of the Circuit Court of Cook County, one to be known as the criminal division which shall dispose of all cases of criminal or quasi-criminal nature, and the other to be known as the civil division which shall dispose of all other cases and matters not criminal and shall assign from time to time the judges and associate judges of said court to service in the respective divisions. One of the judges assigned to each division, to be designated by the Supreme Court, shall be the Chief Justice of such division and shall have power and authority to establish departments and branches thereof, to appoint presiding judges of departments; to assign the judges and associate judges serving in such division to duties in such departments and branches, and to change such appointments and assignments from time to time as the prompt and proper dispatch of the business of said court may require. The judges and associate judges so assigned shall perform the duties appertaining to such assignments."

And the substitute for section 31 was adopted.

Mr. Hamill offered the following amendment and moved its adoption:

Amendment No. 12.

Amend section 31, as amended, by inserting in the 9th line after the word "have" and before the word "power" the word "such," and by striking out from the 10th line and following lines everything after the word

"authority" in the 10th line and by inserting in lieu of part stricken out the following: "as may be provided by the Supreme Court."

And the amendment was adopted.

The question then being on the adoption of section 31, as amended, a call of the roll was had, resulting as follows: Yeas, 65; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Green	McGuire	Stahl
Adamkiewicz	Davis	Hamill	Meinert	Sutherland
Baldwin	Dawes	Hogan	Miller	Taff
Barr	De Young	Hollenbeck	Mills	Todd
Beckman	Dryer	Hull	Moore	Torrance
Brandon	Dunlap	Jack	Paddock	Traeger
Brenholt	Fifer	Johnson, L. C.	Pinnell	Trautmann
Brewster	Gale	Kerrick	Quinn	Wall
Cary, C. D.	Garrett	Kunde	Revell	Warren
Catron	Gee	Latchford	Rinaker	Wilson
Clarke	Gilbert	Lill	Shuey	Wolff
Coolley	Goodyear	Lindly	Six	Mr. President
Corlett	Gray	Mack	Smith	
Cruden				

Yeas—65.
Nays—0.

Section 31, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 33, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 33, and moved its adoption:

Amend section 33 by substituting therefor the following:

"Section 33. The General Assembly may increase the number of judges of the Circuit Court of Cook County, in addition to the increases hereinbefore provided, by adding one thereto for every additional fifty thousand inhabitants in said county above the population of three million four hundred thousand. The number of the judges of said court may also be decreased by the General Assembly whenever in its judgment such decrease shall be justified."

And the substitute for section 33 was adopted.

The question then being on the adoption of section 33, as amended, a call of the roll was had, resulting as follows: Yeas, 70; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Goodyear	Mack	Smith
Adamkiewicz	Davis	Gray	McEwen	Stahl
Baldwin	Dawes	Green	McGuire	Sutherland
Barr	De Young	Hamill	Meinert	Taff
Beckman	Dryer	Hogan	Miller	Todd
Brandon	Dunlap	Hollenbeck	Mills	Torrance
Brenholt	Dupuy, G. A.	Hull	Moore	Traeger
Brewster	Elting	Jack	Paddock	Trautmann
Cary, C. D.	Fifer	Jarman	Pinnell	Wall
Carlstrom	Gale	Johnson, L. C.	Quinn	Warren
Catron	Ganschow	Kunde	Revell	Wilson
Clarke	Garrett	Latchford	Rinaker	Wolff
Coolley	Gee	Lill	Shuey	Mr. President
Corlett	Gilbert	Lindly	Six	
Cruden				

Yeas—70.
Nays—0.

Section 33, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 34, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 34, and moved its adoption:

Amend section 34 by substituting therefor the following:

"Section 34. The Supreme Court may authorize the Chief Justices of the civil and criminal divisions of the Circuit Court of Cook County, by and with the advice and consent of a majority of the judges of said court, to appoint assistants, who shall have such judicial or other powers and duties in respect to the business before said court as the Supreme Court may, by rule, prescribe. The salaries of said assistants shall be fixed by the board of commissioners of Cook County and shall be paid out of the county treasury of that county."

And the substitute for section 34 was adopted.

The question then being on the adoption of section 34, as amended, a call of the roll was had, resulting as follows: Yeas, 63; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Green	McEwen	Sutherland
Adamkiewicz	Dawes	Hamill	McGuire	Taff
Baldwin	De Young	Hogan	Meinert	Todd
Barr	Dryer	Hollenbeck	Miller	Torrance
Beckman	Dunlap	Hull	Mills	Traeger
Brandon	Dupuy, G. A.	Jack	Moore	Trautmann
Brenholt	Elting	Jarman	Pinnell	Wall
Brewster	Fifer	Johnson, L. C.	Quinn	Warren
Cary, C. D.	Gale	Kunde	Rinaker	Wilson
Carlstrom	Ganschow	Latchford	Shuey	Wolff
Catron	Garrett	Lill	Six	Mr. President
Clarke	Goodyear	Lindly	Smith	Yeas—63.
Cruden	Gray	Mack	Stahl	Nays—0.

Section 34, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 32, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. G. A. Dupuy offered the following as a substitute for section 32, and moved its adoption:

Amend section 32 by substituting therefor the following:

"Section 32. The judge of the County Court who shall be in office at the time of the adoption of this Constitution shall continue to exercise, during the time for which he was elected, or until otherwise provided by law, the same control and supervision over all matters of election as provided by law. After the expiration of his term of office all such authority and supervision shall devolve upon the Chief Justice of the civil division of said Circuit Court until otherwise provided by law."

And the substitute for section 32 was adopted.

The question then being on the adoption of section 32, as amended, a call of the roll was had, resulting as follows: Yeas, 72; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Gray	McEwen	Sneed
Adamkiewicz	Davis	Green	McGuire	Stahl
Baldwin	Dawes	Hamill	Meinert	Sutherland
Barr	De Young	Hogan	Miller	Taff
Beckman	Dryer	Hollenbeck	Mills	Todd
Brandon	Dunlap	Hull	Moore	Torrance
Brenholt	Dupuy, G. A.	Jack	Paddock	Traeger
Brewster	Elting	Jarman	Pinnell	Trautmann
Cary, C. D.	Fifer	Johnson, L. C.	Quinn	Wall
Carlstrom	Gale	Kerrick	Revell	Warren
Catron	Ganschow	Kunde	Rinaker	Wilson
Clarke	Garrett	Latchford	Shuey	Wolff
Coolley	Gee	Lill	Six	Mr. President
Corlett	Gilbert	Lindly	Smith	Yeas—72.
Cruden	Goodyear	Mack		Nays—0.

Section 32, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 35, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 35, and moved its adoption:

Amend section 35 by substituting therefor the following:

"Section 35. The electors of Cook County, equal in number to one-tenth of the total vote cast for president of the county board at the last preceding election may file in the Circuit Court of Cook County a petition to submit to a vote the proposition whether the county shall adopt the system hereinafter provided for the appointment of the judges of the Circuit Court of Cook County. Thereupon the Chief Justice of the civil division of that court by an order entered of record shall call a special county election for submitting such proposition within ninety days after such order is entered. The election shall be held under the election laws in force in the county. If the proposition is approved by a majority of those voting thereon, it shall be declared adopted by such Chief Justice. If the proposition is not approved it shall not again be submitted for six years. The form of the petition and its verification, and of the ballots to be used at the election, the manner of voting, the public notice to be given, the method of certifying and recording the result of the election, and other necessary details shall be prescribed by law, or by the Supreme Court if not prescribed by law. After the adoption of such proposition the manner of choosing judges of said Circuit Court shall be as follows: The Governor shall fill any vacancy in those courts by appointment from a list containing the names of not less than four eligible persons for each vacancy, nominated by a majority of the Supreme Court, not more than one-half of such persons to be affiliated with the same political party. Each judge so appointed shall hold his office during good behavior, subject to removal as herein provided. At the annual election every sixth year after the adoption of such system of appointment, the electors of the county shall be given an opportunity to express their disapproval of the judges so appointed and then in office. The method of voting, the form of ballots to be used at such election and other necessary details, shall be prescribed by law. If a majority of those voting at the election express their disapproval of any judge, his office shall become vacant at the expiration of ninety days after the election, and for a period of six years thereafter he shall be ineligible to appointment as a judge of such court."

And the substitute for section 35 was adopted.

The question then being on the adoption of section 35, as amended, a call of the roll was had, resulting as follows: Yeas, 64; nays, 8.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Goodyear	Mack	Shuey
Baldwin	Davis	Gray	McEwen	Six
Barr	Dawes	Green	McGuire	Smith
Beckman	De Young	Hamill	Meinert	Stahl
Brandon	Dryer	Hogan	Miller	Sutherland
Brenholt	Dunlap	Hollenbeck	Mills	Todd
Brewster	Dupuy, G. A.	Hull	Moore	Torrance
Cary, C. D.	Elting	Jack	Paddock	Trautmann
Carlstrom	Fifer	Jarman	Pinnell	Wall
Catron	Gale	Johnson, L. C.	Quinn	Warren
Clarke	Garrett	Kerrick	Revell	Wilson
Coolley	Gee	Lill	Rinaker	Wolff
Corlett	Gilbert	Lindly	Rosenberg	Mr. President

Yeas—64.

Those voting in the negative are: Messrs.

Adamkiewicz	Kunde	Pincus	Tebbens	Traeger
Ganschow	Latchford	Sneed		

Nays—8.

Answering present but not voting: Mr.

Cruden

Present—1.

Section 35, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 36, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. Sutherland offered the following as a substitute for section 36, and moved its adoption:

Amend section 36 by substituting therefor the following:

"Section 36. The clerk of the Circuit Court of Cook County in office on the first Monday of May, A. D. 1923, shall be the clerk of the Circuit Court herein provided and the clerks of the Superior, Criminal and Probate Courts of Cook County and of the Municipal Court of Chicago shall during the terms for which they were respectively elected, be chief deputy clerks of the Circuit Court of Cook County, exercising the same powers, performing the same duties and receiving the same salaries as on the first Monday of May A. D. 1923. At the November election in the year A. D. 1924, and every four years thereafter, there shall be elected a clerk of the Circuit Court of Cook County."

And the substitute for section 36 was adopted.

The question then being on the adoption of section 36, as amended, a call of the roll was had, resulting as follows: Yeas, 71; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Green	McEwen	Sneed
Adamkiewicz	Dawes	Hamill	McGuire	Stahl
Baldwin	De Young	Hogan	Meinert	Sutherland
Barr	Dryer	Hollenbeck	Miller	Taff
Beckman	Dunlap	Hull	Mills	Todd
Brandon	Dupuy, G. A.	Jack	Moore	Torrance
Brenholt	Elting	Jarman	Paddock	Traeger
Brewster	Fifer	Johnson, L. C.	Pinnell	Trautmann
Cary, C. D.	Gale	Kerrick	Quinn	Wall
Carlstrom	Ganschow	Kunde	Revell	Warren
Catron	Garrett	Latchford	Rinaker	Wilson
Clarke	Gee	Lill	Shuey	Wolff
Coolley	Gilbert	Lindly	Six	Mr. President
Corlett	Goodyear	Mack	Smith	Yeas—71.
Cutting	Gray			Nays—0.

Answering present but not voting: Mr.

Cruden

Present—1.

Section 36, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Mr. DeYoung offered the following amendment to Report No. 18, to be known as section 36A, and moved its adoption:

AMENDMENT No. 13.

Amend Report No. 18 by adding a new section thereto to be known as section 36A, as follows:

"Section 36A. After five years from the adoption of this Constitution the General Assembly may divide the Circuit Court of Cook County into, and divide the jurisdiction thereof between two courts both of which shall be governed by the provisions of this article so far as applicable. Before the act providing for such division shall become effective it shall be approved by a majority of those voting on the question at a general election."

And the amendment was adopted.

The question then being on the adoption of section 36a, a call of the roll was had, resulting as follows: Yeas, 71; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Gray	Mack	Sneed
Adamkiewicz	Davis	Green	McEwen	Stahl
Baldwin	Dawes	Hamill	McGuire	Sutherland
Barr	De Young	Hogan	Meinert	Taff
Beckman	Dryer	Hollenbeck	Miller	Todd
Brandon	Dunlap	Hull	Mills	Torrance
Brenholt	Dupuy, G. A.	Jack	Moore	Traeger
Brewster	Elting	Jarman	Paddock	Trautmann
Cary, C. D.	Fifer	Johnson, L. C.	Pinnell	Wall
Carlstrom	Gale	Kerrick	Revell	Warren
Catron	Ganschow	Kunde	Rinaker	Wilson
Clarke	Garrett	Latchford	Shuey	Wolff
Coolley	Gee	Lill	Six	Mr. President
Corlett	Gilbert	Lindly	Smith	Yeas—71.
Cruden	Goodyear			Nays—0.

Section 36A, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 37, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 37, and moved its adoption:

Amend section 37 by substituting therefor the following:

"Section 37. The Chief Justice of the civil division of the Circuit Court of Cook County shall appoint a justice of the peace and constable in and for each town in the county of Cook outside of the city of Chicago, and in and for that portion of each town partly within and partly without said city which is outside of said city, each of whom shall hold his office for the period of two years. Any such justice of the peace or constable may be removed from office at any time by said Chief Justice, and the cause for every such removal shall be entered of record. Such justices of the peace shall have the same jurisdiction and such constables shall perform the same duties as justices of the peace and constables respectively have and perform outside of the county of Cook. An additional justice of the peace and constable may be appointed in and for each such town or portion of a town for every additional ten thousand inhabitants therein, or major portion thereof, above a population of ten thousand. Said justices and constables shall receive the respective salaries fixed by the board of county commissioners, which salaries shall be paid by the county of Cook; and all fees and emoluments received by them shall be paid into the treasury of that county."

And the substitute for section 37 was adopted.

The question then being on the adoption of section 37, as amended, a call of the roll was had, resulting as follows: Yeas, 70; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Green	McEwen	Sneed
Adamkiewicz	Davis	Hamill	McGuire	Stahl
Baldwin	Dawes	Hogan	Meinert	Sutherland
Barr	De Young	Hollenbeck	Miller	Taff
Beckman	Dryer	Hull	Mills	Todd
Brandon	Dunlap	Jack	Moore	Torrance
Brenholt	Dupuy, G. A.	Jarman	Paddock	Traeger
Brewster	Elting	Johnson, L. C.	Pinnell	Trautmann
Cary, C. D.	Fifer	Kerrick	Quinn	Wall
Carlstrom	Gale	Kunde	Revell	Warren
Catron	Ganschow	Latchford	Rinaker	Wilson
Clarke	Garrett	Lill	Shuey	Wolff
Coolley	Goodyear	Lindly	Six	Mr. President
Corlett	Gray	Mack	Smith	Yeas—70.
Cruden				Nays—0.

Section 37, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 1, of the report of the Committee of the Whole was again taken up.

Whereupon Mr. DeYoung offered the following as a substitute for section 1, and moved its adoption:

Amend section 1 by substituting therefor the following:

"Section 1. The judicial powers shall be vested in the Supreme Court, Appellate, Circuit and County Courts and justices of the peace."

And the substitute for section 1 was adopted.

The question then being on the adoption of section 1, as amended, a call of the roll was had, resulting as follows: Yeas, 71; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Gray	McEwen	Sneed
Adamkiewicz	Davis	Green	McGuire	Stahl
Baldwin	Dawes	Hamill	Meinert	Sutherland
Barr	De Young	Hogan	Miller	Taff
Beckman	Dryer	Hollenbeck	Mills	Todd
Brandon	Dunlap	Hull	Moore	Torrance
Brenholt	Dupuy, G. A.	Jack	Paddock	Traeger
Brewster	Elting	Jarman	Pinnell	Trautmann
Cary, C. D.	Fifer	Johnson, L. C.	Quinn	Wall
Carlstrom	Gale	Kerrick	Revell	Warren
Catron	Ganschow	Kunde	Rinaker	Wilson
Clarke	Garrett	Lill	Shuey	Wolff
Coolley	Gee	Lindly	Six	Mr. President
Corlett	Gilbert	Mack	Smith	Yeas—71.
Cruden	Goodyear			Nays—0.

Section 1, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 3, of the report of the Committee of the Whole, was again taken up.

Whereupon Mr. DeYoung offered the following as a substitute for section 3, and moved its adoption:

Amend section 3 by substituting therefor the following:

"Section 3. The Supreme Court shall have original jurisdiction in cases relating to the revenue, in quo warranto, mandamus, habeas corpus, prohibition and other cases involving questions of great public importance, and appellate jurisdiction in all cases. It shall have exclusive power to prescribe rules of pleading, practice and procedure in all courts; provided, that the Appellate, Circuit and County Courts shall have power to make rules for their respective courts not inconsistent with the rules prescribed by the Supreme Court."

And the substitute for section 3 was adopted.

The question then being on the adoption of section 3, as amended, a call of the roll was had, resulting as follows: Yeas, 70; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Goodyear	Mack	Sneed
Adamkiewicz	Davis	Gray	McEwen	Stahl
Baldwin	Dawes	Green	McGuire	Sutherland
Barr	De Young	Hamill	Meinert	Taff
Beckman	Dryer	Hogan	Miller	Todd
Brandon	Dunlap	Hollenbeck	Mills	Torrance
Brenholt	Dupuy, G. A.	Hull	Moore	Traeger
Brewster	Elting	Jack	Paddock	Trautmann
Cary, C. D.	Fifer	Jarman	Pinnell	Wall
Carlstrom	Gale	Johnson, L. C.	Revell	Warren
Catron	Ganschow	Kerrick	Rinaker	Wilson
Clarke	Garrett	Kunde	Shuey	Wolff
Coolley	Gee	Lill	Six	Mr. President
Corlett	Gilbert	Lindly	Smith	Yeas—70.
Cruden				Nays—0.

Section 3, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 5, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. Trautmann offered the following as a substitute for section 5, and moved its adoption:

Amend section 5 by substituting therefor the following:

"Section 5. The Supreme Court shall consist of nine justices, one of whom, to be chosen by themselves, shall be Chief Justice. A majority of the justices shall constitute a quorum and the concurrence of five shall be necessary to every decision."

Pending discussion, Mr. Brandon moved the previous question.

And the question being, "Shall the main question be now put?" it was decided in the affirmative.

And the question being on the adoption of the substitute for section 5, a division of the Convention was had, resulting as follows: Yeas, 24; nays, 43.

And the substitute for section 5 was lost.

The question then being on the adoption of section 5, as amended, a call of the roll was had, resulting as follows: Yeas, 66; nays, 7.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Gilbert	Lill	Shuey
Adamkiewicz	Davis	Goodyear	Lindly	Sneed
Baldwin	Dawes	Gray	Mack	Sutherland
Barr	Dietz	Green	McGuire	Taff
Beckman	Dryer	Hamill	Meinert	Todd
Brandon	Dunlap	Hogan	Miller	Torrance
Brenholt	Dupuy, G. A.	Hollenbeck	Mills	Traeger
Brewster	Elting	Jack	Moore	Trautmann
Cary, C. D.	Fifer	Jarman	Paddock	Wall
Carlstrom	Gale	Johnson, L. C.	Pinnell	Warren
Catron	Ganschow	Kerrick	Quinn	Wilson
Clarke	Garrett	Kunde	Revell	Wolff
Coolley	Gee	Latchford	Rinaker	Mr. President
Corlett				Yeas—66.

Those voting in the negative are: Messrs.

Cruden	McEwen	Smith	Stahl	Tebbens
De Young	Pincus			Nays—7.

Section 5, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Mr. Jarman moved to reconsider the vote by which section 5 was adopted.

Mr. Green moved to lay that motion on the table.

And the question being on the motion to table, it was decided in the affirmative.

Section 6, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. Mack offered the following as a substitute for section 6 and moved its adoption:

Amend section 6 by substituting therefor the following:

"Section 6. The State shall be divided into six districts for the election of justices.

"The First District shall consist of the county of Cook and two justices shall be elected from that district. The State outside the county of Cook shall be divided into five districts for the election of justices, and until otherwise provided by law, they shall be as follows:

"Second District: The counties of Lake, McHenry, Boone, Winnebago, Stephenson, JoDavies, Carrol, Ogle, DeKalb, Kane, DuPage, Lee, Rock Island, and Whiteside.

"Third District: The counties of Henry, Bureau, LaSalle, Grundy, Kendall, Woodford, Tazewell, Mason, Livingston, Marshall, Putnam, Peoria, Stark, Knox, Fulton, Schuyler, Hancock, McDonough, Henderson, Warren and Mercer.

"Fourth District: The counties of Will, Kankakee, McLean, Ford, Iroquois, Champaign, Vermilion, Edgar, Douglas, Clark, Coles, Moultrie, Piatt, DeWitt, Macon, Logan, Menard and Sangamon.

"Fifth District: The counties of Adams, Brown, Pike, Cass, Scott, Morgan, Calhoun, Green, Jersey, Macoupin, Madison, Bond, Montgomery, Christian, Shelby, Fayette, Effingham, Marion, Clay, Richmond, Jasper, Cumberland, Crawford and Lawrence.

"Sixth District: The counties of St. Clair, Clinton, Washington, Monroe, Randolph, Perry, Jackson, Union, Alexander, Pulaski, Massac, Johnson, Williamson, Franklin, Jefferson, Wayne, Hamilton, Saline, Pope, Hardin, Gallatin, White, Edwards and Wabash.

"One justice shall be elected from each of the said districts numbered 2, 3, 4, 5 and 6."

And the substitute for section 6 was adopted.

The question then being on the adoption of section 6, as amended, a call of the roll was had, resulting as follows: Yeas, 71; nays, 1.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Goodyear	Lindly	Smith
Adamkiewicz	Davis	Gray	Mack	Sneed
Baldwin	Dawes	Green	McEwen	Stahl
Barr	Dietz	Hamill	McGuire	Sutherland
Beckman	Dryer	Hogan	Meinert	Taff
Brandon	Dunlap	Hollenbeck	Miller	Todd
Brenholt	Dupuy, G. A.	Hull	Mills	Torrance
Brewster	Elting	Jack	Moore	Traeger
Cary, C. D.	Fifer	Jarman	Paddock	Trautmann
Carlstrom	Gale	Johnson, L. C.	Pinnell	Wall
Catron	Ganschow	Kerrick	Quinn	Warren
Clarke	Garrett	Kunde	Revell	Wilson
Coolley	Gee	Latchford	Rinaker	Wolff
Corlett	Gilbert	Lill	Shuey	Mr. President
Cruden				

Yeas—71.

Those voting in the negative are: Mr.

De Young

Nays—1.

Section 6, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Mr. Hollenbeck moved to reconsider the vote by which section 6 was adopted.

Mr. Green moved to lay that motion on the table.

And the question being on the motion to table it was decided in the affirmative.

Section 11, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 11 and moved its adoption:

Amend section 11 by substituting therefor the following:

"Section 11. Appeals from and writs of error to Circuit and County Courts may be prosecuted in all cases, as follows:

"To or from the Supreme Court in all criminal cases in which the punishment allowed by law may be death or imprisonment in the penitentiary and in all cases in which a franchise or freehold or the validity of a statute is involved;

"To or from the Appellate Courts in such other cases as may be prescribed by general rule of the Supreme Court;

"To or from the Supreme Court in all other cases.

"Except as above provided, the Supreme Court, by general rule, may prescribe the final jurisdiction of Appellate Courts, unless otherwise provided by law."

And the substitute for section 11 was adopted.

The question then being on the adoption of section 11 as amended, a call of the roll was had, resulting as follows: Yeas, 73; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cruden	Gilbert	Mack	Sneed
Adamkiewicz	Cutting	Goodyear	McEwen	Stahl
Baldwin	Davis	Gray	McGuire	Sutherland
Barr	Dawes	Green	Meinert	Taff
Beckman	De Young	Hamill	Miller	Todd
Brandon	Dietz	Hogan	Mills	Torrance
Brenholt	Dryer	Hollenbeck	Moore	Traeger
Brewster	Dunlap	Hull	Paddock	Trautmann
Cary, C. D.	Dupuy, G. A.	Jack	Pinnell	Wall
Carlstrom	Elting	Jarman	Quinn	Warren
Catron	Fifer	Johnson, L. C.	Revell	Wilson
Chew	Gale	Kerrick	Rinaker	Wolff
Clarke	Ganschow	Latchford	Shuey	Mr. President
Coolley	Garrett	Lill	Six	Yeas—73.
Corlett	Gee	Lindly	Smith	Nays—0.

Section 11, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style, for action as provided by Rule 20.

Mr. Jarman asked unanimous consent of the Convention to make a motion to reconsider the vote by which section 4, of Report No. 11, was adopted, for the purpose of making a specific amendment.

Unanimous consent being granted, Mr. Jarman moved to reconsider the vote by which section 4, of Report No. 11, was heretofore adopted on February 28.

And the motion prevailed.

Mr. Jarman thereupon offered the following amendment and moved its adoption:

AMENDMENT No. 43.

Amend section 4, of article 9, in Report No. 11, by inserting the word "net" between the words "all" and "incomes," in the second line thereof.

And the amendment was adopted.

Mr. Jarman moved to suspend the rules for the purpose of offering a further amendment.

And the question being on the motion to suspend the rules, a division of the Convention was had, resulting as follows: Yeas, 56; nays, 9.

And the motion prevailed.

Whereupon Mr. Jarman offered the following amendment and moved its adoption:

AMENDMENT No. 44.

Amend section 4, of article 9, in Report No. 11, by adding after the word "valuation" in the last line of section 4, the following: "or taxes paid under section 5 of this article."

The question being on the adoption of the amendment, on demand of five Delegates, a call of the roll was had, resulting as follows: Yeas, 54; nays, 10.

Those voting in the affirmative are: Messrs.

Adams	Davis	Hollenbeck	Miller	Sutherland
Barr	De Young	Hull	Mills	Taff
Beckman	Dietz	Jarman	Moore	Tebbens
Brenholt	Dupuy, G. A.	Kerrick	Paddock	Todd
Brewster	Elting	Latchford	Pincus	Torrance
Cary, C. D.	Gale	Lill	Pinnell	Traeger
Chew	Ganschow	Lindly	Quinn	Trautmann
Clarke	Garrett	Mack	Revell	Warren
Corlett	Goodyear	McEwen	Rinaker	Wilson
Cruden	Green	McGuire	Shuey	Mr. President
Cutting	Hamill	Meinert	Stahl	

Yeas—54.

Those voting in the negative are: Messrs.

Adamkiewicz	Dunlap	Gilbert	Jack	Wall
Carlstrom	Gee	Hogan	Sneed	Wolff

Nays—10.

Answering present but not voting: Messrs.

Fifer	Gray

Present—2.

And the amendment was adopted.

Mr. Pincus moved to suspend the rules for the purpose of offering an amendment.

And the question being on the motion to suspend the rules, a division of the Convention was had, resulting as follows: Yeas, 50; nays, 0.

And the motion prevailed.

Whereupon Mr. Pincus offered the following amendment and moved its adoption:

AMENDMENT No. 45.

Amend section 4, by adding at the end thereof the following:

"An exemption not to exceed one thousand ($1,000.00) dollars may be allowed to the head of a family and two hundred ($200) dollars for each and every dependent child under sixteen years of age."

The question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 39; nays, 23.

And the amendment was adopted.

The question then being on the adoption of section 4, as amended, a call of the roll was had, resulting as follows: Yeas, 63; nays, 5.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Green	McEwen	Sneed
Adamkiewicz	Davis	Hamill	McGuire	Stahl
Baldwin	Dawes	Hogan	Meinert	Sutherland
Barr	De Young	Hollenbeck	Miller	Taff
Beckman	Dietz	Hull	Mills	Tebbens
Brenholt	Dryer	Jack	Moore	Todd
Brewster	Dunlap	Jarman	Paddock	Torrance
Cary, C. D.	Dupuy, G. A.	Johnson, L. C.	Pincus	Traeger
Carlstrom	Elting	Kunde	Pinnell	Trautmann
Catron	Gale	Latchford	Quinn	Warren
Clarke	Ganschow	Lill	Shuey	Wolff
Corlett	Goodyear	Lindly	Smith	Mr. President
Cruden	Gray	Mack		Yeas—63.

Those voting in the negative are: Messrs.

Gee	Gilbert	Rinaker	Wall	Wilson

Nays—5.

Section 4, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style, for action as provided by Rule 20.

Mr. Jarman moved to reconsider the vote by which section 4 was adopted.

Mr. Mack moved to lay that motion on the table.

And the question being on the motion to table, it was decided in the affirmative.

Mr. Gale asked unanimous consent of the Convention to make a motion to reconsider the vote by which section 9, of Report No. 11, was heretofore adopted, for the purpose of offering a specific amendment.

Unanimous consent being granted, Mr. Gale moved that the vote by which section 9, of Report No. 11, was heretofore adopted on March 1, be reconsidered for the sole and only purpose of offering one amendment.

And the question being on the motion to reconsider, it was decided in the affirmative.

Whereupon Mr. Gale offered the following amendment and moved its adoption:

AMENDMENT No. 46.

Amend section 9 of article 9 by striking out the last clause thereof and inserting in lieu the following words: "The General Assembly may provide by law that the holder of any tax title based on any tax sale hereafter made may waive claim of title to the land sold and be subrogated to the tax lien for which sale was made and proceed in equity to foreclose such lien with such additional penalties as may be provided by law."

And the amendment was adopted.

The question then being on the adoption of section 9, as amended, a call of the roll was had, resulting as follows: Yeas, 65; nays, 2.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Goodyear	Mack	Shuey
Adamkiewicz	Davis	Gray	McEwen	Smith
Baldwin	Dawes	Hamill	McGuire	Sneed
Barr	De Young	Hogan	Meinert	Stahl
Beckman	Dietz	Hollenbeck	Miller	Taff
Brandon	Dryer	Hull	Mills	Tebbens
Brenholt	Dunlap	Jack	Moore	Todd
Brewster	Dupuy, G. A.	Jarman	Paddock	Torrance
Cary, C. D.	Elting	Johnson, L. C.	Pincus	Trautmann
Carlstrom	Gale	Kunde	Pinnell	Wall
Catron	Ganschow	Latchford	Quinn	Warren
Clarke	Garrett	Lill	Revell	Wilson
Corlett	Gilbert	Lindly	Rinaker	Mr. President
Cruden				Yeas—65

Those voting in the negative are: Messrs.

Fifer Gee Nays—2.

Section 9, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Mr. Gale asked unanimous consent of the Convention to make a motion to reconsider the vote by which section 13, of Report No. 11, was adopted, for the purpose of making a specific amendment.

Unanimous consent being granted, Mr. Gale moved to reconsider the vote by which section 13, of Report No. 11, was heretofore adopted on March 1.

And the motion prevailed.

Whereupon Mr. Gale offered the following amendment and moved its adoption:

AMENDMENT No. 47.

Amend section 13, of article 9, in Report No. 11, by inserting therein after the word "made" in the next to the last line thereof the words "before or at the time of incurring such debt."

And the amendment was adopted.

The question then being on the adoption of section 13, as amended, a call of the roll was had, resulting as follows: Yeas, 67; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Hogan	Meinert	Stahl
Adamkiewicz	De Young	Hollenbeck	Miller	Sutherland
Baldwin	Dietz	Hull	Mills	Taff
Barr	Dryer	Jack	Moore	Tebbens
Beckman	Dunlap	Jarman	Paddock	Todd
Brenholt	Dupuy, G. A.	Johnson, L. C.	Pincus	Torrance
Brewster	Elting	Kerrick	Pinnell	Traeger
Cary, C. D.	Fifer	Kunde	Quinn	Trautmann
Carlstrom	Gale	Latchford	Revell	Wall
Catron	Ganschow	Lill	Rinaker	Warren
Clarke	Garrett	Lindly	Shuey	Wilson
Corlett	Goodyear	Mack	Smith	Mr. President
Cruden	Gray	McEwen	Sneed	Yeas—67.
Cutting	Hamill	McGuire		Nays—0.

Mr. Sneed moved to reconsider the vote by which section 13 was adopted.

And the question being on the motion to reconsider, a division of the Convention was had, resulting as follows: Yeas, 53; nays, 0.

The motion prevailed.

And section 13 was again taken up.

Whereupon Mr. Sneed offered the following amendment and moved its adoption:

AMENDMENT No. 48.

Amend section 13 by inserting the word "or" in the first line before the word "school"; by striking out the words "or other municipal corporation" in the second line; and by inserting after the words "per cent" in the fourth line the words "nor other municipal corporation to an amount exceeding 6 per cent."

The question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 39; nays, 23.

And the amendment was adopted.

Mr. Sutherland moved to reconsider the vote by which Amendment No. 48, was adopted.

And the question being on the motion to reconsider, a division of the Convention was had, resulting as follows: Yeas, 33; nays, 20.

The motion prevailed.

And the vote was reconsidered.

The question again being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 40; nays, 15.

And Amendment No. 48 was adopted.

The question then being on the adoption of section 13, as amended, a call of the roll was had, resulting as follows: Yeas, 58; nays, 5.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Hamill	McGuire	Stahl
Adamkiewicz	De Young	Hogan	Meinert	Sutherland
Barr	Dietz	Hollenbeck	Miller	Taff
Beckman	Dryer	Hull	Mills	Tebbens
Brenholt	Dupuy, G. A.	Jack	Moore	Todd
Brewster	Elting	Jarman	Paddock	Torrance
Carlstrom	Gale	Kunde	Pincus	Traeger
Clarke	Ganschow	Latchford	Quinn	Trautmann
Corlett	Garrett	Lill	Revell	Wall
Cruden	Gee	Lindly	Smith	Warren
Cutting	Gilbert	Mack	Sneed	Mr. President
Davis	Goodyear	McEwen		Yeas—58.

Those voting in the negative are: Messrs.

Cary, C. D.	Fifer	Gray	Kerrick	Pinnell
				Nays—5.

Section 13, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style, for action as provided by Rule 20.

At the hour of 6:40 o'clock p. m., Mr. Hamill moved that the Convention do now take a recess until 8:00 o'clock p. m.

And the motion prevailed.

8:00 o'Clock P. M.

The hour of 8:00 o'clock p. m. having arrived, the Convention resumed its session.

The President presiding.

The Convention proceeding upon the consideration of Report No. 18, of the Committee on Phraseology and Style, on the subject of Judicial Department, section 38 was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 38 and moved its adoption:

Amend section 38 by substituting therefor the following:

"Section 38. No person, other than one who is a judge of the court at the time of the adoption of this Constitution, shall be eligible to the office of justice of the Supreme Court of judge of an Appellate or Circuit Court, unless, at the time of his election or appointment, he shall be at least thirty-five years of age, and shall have been engaged in this State, either in active practice as an attorney and counselor-at-law or in the discharge of the duties of a judicial office for at least ten years preceding his election or appointment, or in one of said occupations during a portion of said time and in the other the remaining portion thereof; nor to the office of judge of the County Court, unless, at the time of his election or appointment, he shall be at

least thirty years of age and shall have been so engaged for at least five years preceding his election or appointment.'

And the substitute for section 38 was adopted.

The question then being on the adoption of section 38, as amended, a call of the roll was had, resulting as follows: Yeas, 56; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dunlap	Jack	Meinert	Stahl
Adamkiewicz	Dupuy, G. A.	Jarman	Miller	Sutherland
Baldwin	Elting	Johnson, L. C.	Mills	Taff
Brenholt	Fifer	Kerrick	Moore	Tebbens
Brewster	Gale	Kunde	Paddock	Todd
Cary, C. D.	Ganschow	Latchford	Pinnell	Traeger
Chew	Gee	Lill	Quinn	Warren
Corlett	Gilbert	Lindly	Revell	Wilson
Cruden	Goodyear	Mack	Shuey	Wolff
Davis	Gray	McEwen	Smith	Mr. President
Dawes	Hamill	McGuire	Sneed	Yeas—56.
De Young	Hull			Nays—0.

Section 38, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 39, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 39, and moved its adoption:

Amend section 39 by substituting therefor the following:

"Section 39. The boundaries of the districts for the election of justices of the Supreme Court and the boundaries of the Appellate Court districts may be changed by the General Assembly, but such alterations shall only be made, as nearly as county boundaries will allow, upon the basis of equality of population, and the districts shall be composed of contiguous counties in as nearly compact form as circumstances will permit. The alterations of the districts shall not effect the tenure of office of any justice of the Supreme Court or judge of an Appellate Court."

And the substitute for section 39 was adopted.

The question then being on the adoption of section 39, as amended, a call of the roll was had, resulting as follows: Yeas, 71; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Gray	McEwen	Stahl
Adamkiewicz	Dawes	Green	McGuire	Sutherland
Baldwin	De Young	Hamill	Meinert	Taff
Barr	Dietz	Hogan	Miller	Tebbens
Beckman	Dryer	Hull	Mills	Todd
Brenholt	Dunlap	Ireland	Moore	Torrance
Brewster	Dupuy, G. A.	Jack	Paddock	Traeger
Cary, C. D.	Elting	Jarman	Pinnell	Trautmann
Carlstrom	Fifer	Kerrick	Quinn	Wall
Catron	Gale	Kunde	Revell	Warren
Chew	Ganschow	Latchford	Rinaker	Wilson
Clarke	Garrett	Lill	Shuey	Wolff
Corlett	Gee	Lindly	Smith	Mr. President
Cruden	Gilbert	Mack	Sneed	Yeas—71.
Cutting	Goodyear			Nays—0.

Section 39, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 40, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 40, and moved its adoption:

Amend section 40 by substituting therefor the following:

"Section 40. The Supreme Court shall have power and authority, from time to time, to assign, for such periods as it may designate, judges of the Appellate Court to districts other than those for which they were appointed, and judges of the Circuit Courts to circuits other than those for which they were elected."

And the substitute for section 40 was adopted.

The question then being on the adoption of section 40, as amended, a call of the roll was had, resulting as follows: Yeas, 71; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Gray	McEwen	Stahl
Adamkiewicz	Dawes	Green	McGuire	Sutherland
Baldwin	De Young	Hamill	Meinert	Taff
Barr	Dietz	Hogan	Miller	Tebbens
Beckman	Dryer	Hull	Mills	Todd
Brenholt	Dunlap	Jack	Moore	Torrance
Brewster	Dupuy, G. A.	Jarman	Paddock	Traeger
Cary, C. D.	Elting	Johnson, L. C.	Pinnell	Trautmann
Carlstrom	Fifer	Kerrick	Quinn	Wall
Catron	Gale	Kunde	Revell	Warren
Chew	Ganschow	Latchford	Rinaker	Wilson
Clarke	Garrett	Lill	Shuey	Wolff
Corlett	Gee	Lindly	Smith	Mr. President
Cruden	Gilbert	Mack	Sneed	
Cutting	Goodyear			

Yeas—71.
Nays—0.

Section 40, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 41, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 41, and moved its adoption:

Amend section 41 by substituting therefor the following:

"Section 41. Each court into which, by the provisions of this article, other courts are consolidated shall immediately, upon such consolidation succeed to and assume jurisdiction of all causes, matters and proceedings then pending in all courts of which it is the successor, with full power and authority to dispose of the same, and to carry into execution or otherwise to give effect to all orders, judgments and decrees theretofore entered by the respective courts thus consolidated."

And the substitute for section 41 was adopted.

The question then being on the adoption of section 41, as amended, a call of the roll was had, resulting as follows: Yeas, 71; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Gray	McEwen	Stahl
Adamkiewicz	Dawes	Green	McGuire	Sutherland
Baldwin	De Young	Hamill	Meinert	Taff
Barr	Dietz	Hogan	Miller	Tebbens
Beckman	Dryer	Hull	Mills	Todd
Brenholt	Dunlap	Ireland	Moore	Torrance
Brewster	Dupuy, G. A.	Jack	Paddock	Traeger
Cary, C. D.	Elting	Jarman	Pinnell	Trautmann
Carlstrom	Fifer	Kerrick	Quinn	Wall
Catron	Gale	Kunde	Revell	Warren
Chew	Ganschow	Latchford	Rinaker	Wilson
Clarke	Garrett	Lill	Shuey	Wolff
Corlett	Gee	Lindly	Smith	Mr. President
Cruden	Gilbert	Mack	Sneed	
Cutting	Goodyear			

Yeas—71.
Nays—0.

Section 41, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 42, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 42, and moved its adoption:

Amend section 42 by substituting therefor the following:

"Section 42. Provision may be made by rule of the Supreme Court or by law for the bringing of actions or proceedings in which a merely declaratory judgment or decree or order is sought, and authorizing the court to make a binding declaration of right, whether any consequential relief is or could be claimed or not."

And the substitute for section 42 was adopted.

The question then being on the adoption of section 42, as amended, a call of the roll was had, resulting as follows: Yeas, 71; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Gray	McEwen	Stahl
Adamkiewicz	Dawes	Green	McGuire	Sutherland
Baldwin	De Young	Hamill	Meinert	Taff
Barr	Dietz	Hogan	Miller	Tebbens
Beckman	Dryer	Hull	Mills	Todd
Brenholt	Dunlap	Jack	Moore	Torrance
Brewster	Dupuy, G. A.	Jarman	Paddock	Traeger
Cary, C. D.	Elting	Johnson, L. C.	Pinnell	Trautmann
Carlstrom	Fifer	Kerrick	Quinn	Wall
Catron	Gale	Kunde	Revell	Warren
Chew	Ganschow	Latchford	Rinaker	Wilson
Clarke	Garrett	Lill	Shuey	Wolff
Corlett	Gee	Lindly	Smith	Mr. President
Cruden	Gilbert	Mack	Sneed	Yeas—71.
Cutting	Goodyear			Nays—0.

Section 42, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 43, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 43, and moved its adoption:

Amend section 43 by substituting therefor the following:

"Section 43. The office of judge of the City Court and judge of the Probate Court or probate judge shall be abolished from and after the respective consolidations of City and Probate Courts with other courts as in this article provided. The offices of justices of the peace and constable existing at the time of the adoption of this Constitution shall, from and after the election or appointment and qualification of justices of the peace and constables in the respective districts, towns or portions of towns, in accordance with the provisions of this article, as to such districts, towns or portions of towns, be abolished."

And the substitute for section 43 was adopted.

The question then being on the adoption of section 43, as amended, a call of the roll was had, resulting as follows: Yeas, 71; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Gray	McEwen	Stahl
Adamkiewicz	Dawes	Green	McGuire	Sutherland
Baldwin	De Young	Hamill	Meinert	Taff
Barr	Dietz	Hogan	Miller	Tebbens
Beckman	Dryer	Hull	Mills	Todd
Brenholt	Dunlap	Jack	Moore	Torrance
Brewster	Dupuy, G. A.	Jarman	Paddock	Traeger
Cary, C. D.	Elting	Johnson, L. C.	Pinnell	Trautmann
Carlstrom	Fifer	Kerrick	Quinn	Wall
Catron	Gale	Kunde	Revell	Warren
Chew	Ganschow	Latchford	Rinaker	Wilson
Clarke	Garrett	Lill	Shuey	Wolff
Corlett	Gee	Lindly	Smith	Mr. President
Cruden	Gilbert	Mack	Sneed	Yeas—71.
Cutting	Goodyear			Nays—0.

Section 43, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Mr. Brenholt offered the following amendment to Report No. 18, to be known as section 43A, and moved its adoption:

AMENDMENT No. 14.

Amend Report No. 18 by adding a new section thereto to be known as section 43A, as follows:

"Section 43A. The clerk of the County Court of each county, other than Cook, in office on the first Monday of December, A. D. 1923, shall be the clerk of the County Court and the Clerk of the Probate Court of each county, other than Cook, having a probate clerk, shall be the chief deputy county clerk of the County Court during the terms for which they were elected, and at the salaries received by them, severally, at the time of the adoption of this Constitution and at the expiration of the respective terms of office of the Probate clerks in office on the first Monday of December, A. D. 1923 said office of probate clerk shall cease."

And the amendment was adopted.

The question then being on the adoption of section 43A, a call of the roll was had, resulting as follows: Yeas, 71; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Gray	McEwen	Stahl
Adamkiewicz	Dawes	Green	McGuire	Sutherland
Baldwin	De Young	Hamill	Meinert	Taff
Barr	Dietz	Hogan	Miller	Tebbens
Beckman	Dryer	Hull	Mills	Todd
Brenholt	Dunlap	Jack	Moore	Torrance
Brewster	Dupuy, G. A.	Jarman	Paddock	Traeger
Cary, C. D.	Elting	Johnson, L. C.	Pinnell	Trautmann
Carlstrom	Fifer	Kerrick	Quinn	Wall
Catron	Gale	Kunde	Revell	Warren
Chew	Ganschow	Latchford	Rinaker	Wilson
Clarke	Garrett	Lill	Shuey	Wolff
Corlett	Gee	Lindly	Smith	Mr. President
Cruden	Gilbert	Mack	Sneed	Yeas—71.
Cutting	Goodyear			Nays—0.

Section 43A, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 44, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 44, and moved its adoption:

Amend section 44, by substituting therefor the following:

"Section 44. The electors of any district outside of the county of Cook, and of any town in the county of Cook, outside of the city of Chicago, or of that portion of any town partly within and partly without said city which is outside of said city, or of that county outside of said city as a whole, may, at any time, by a majority vote, in such manner as the General Assembly shall prescribe, abolish the offices of justice of the peace and constable, or either of them, within the jurisdiction of the electorate voting upon the question."

And the substitute for section 44 was adopted.

The question then being on the adoption of section 44, as amended, a call of the roll was had, resulting as follows: Yeas, 71; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Gray	McEwen	Stahl
Adamkiewicz	Dawes	Green	McGuire	Sutherland
Baldwin	De Young	Hamill	Meinert	Taff
Barr	Dietz	Hogan	Miller	Tebbens
Beckman	Dryer	Hull	Mills	Todd
Brenholt	Dunlap	Jack	Moore	Torrance
Brewster	Dupuy, G. A.	Jarman	Paddock	Traeger
Cary, C. D.	Elting	Johnson, L. C.	Pinnell	Trautmann
Carlstrom	Fifer	Kerrick	Quinn	Wall
Catron	Gale	Kunde	Revell	Warren
Chew	Ganschow	Latchford	Rinaker	Wilson
Clarke	Garrett	Lill	Shuey	Wolff
Corlett	Gee	Lindly	Smith	Mr. President
Cruden	Gilbert	Mack	Sneed	Yeas—71.
Cutting	Goodyear			Nays—0.

Section 44, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 45, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 45, and moved its adoption:

Amend section 45, by substituting therefor the following:

"Section 45. The salaries of justices of the Supreme Court and of the judges of the Appellate Courts for the Second, Third and Fourth Districts, the Circuit Courts outside of Cook County and of the County Courts shall be fixed by law and shall be payable out of the State treasury. The judges of the Appellate Court for the First District shall receive the same salaries, out of the State treasury, as may be fixed by law for judges of the Appellate Courts for the other districts, and the judges of the Circuit Court of Cook County shall receive the same salaries, out of the State treasury, as may be fixed by law for judges of the Circuit Courts outside of Cook County, and in addition thereto, the judges of the Appellate Court for the first district and of the Circuit Court of Cook County shall be paid such additional salaries, out of the county treasury of Cook County, as may be provided by law. The salary of no judicial officer, after it has been fixed by law shall be increased or decreased during the term for which he is elected or appointed, and no justice of the Supreme Court or judge of an Appellate Circuit or County Court shall receive any other compensation, perquisite or benefit in any form whatever, nor shall he perform any duties, other than judicial, or engage in the practice of law so long as he shall hold the office of such justice or judge."

And the substitute for section 45 was adopted.

Mr. Corlett offered the following amendment and moved its adoption:

AMENDMENT No. 15.

Amend section 45, as amended, by striking out the words "or county" after the word "circuit" in the 4th line from the bottom.

And the amendment was lost.

The question then being on the adoption of section 45, as amended, a call of the roll was had, resulting as follows: Yeas, 71; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Gray	McEwen	Stahl
Adamkiewicz	Dawes	Green	McGuire	Sutherland
Baldwin	De Young	Hamill	Meinert	Taff
Barr	Dietz	Hogan	Miller	Tebbens
Beckman	Dryer	Hull	Mills	Todd
Brenholt	Dunlap	Jack	Moore	Torrance
Brewster	Dupuy, G. A.	Jarman	Paddock	Traeger
Cary, C. D.	Elting	Johnson, L. C.	Pinnell	Trautmann
Carlstrom	Fifer	Kerrick	Quinn	Wall
Catron	Gale	Kunde	Revell	Warren
Chew	Ganschow	Latchford	Rinaker	Wilson
Clarke	Garrett	Lill	Shuey	Wolff
Corlett	Gee	Lindly	Smith	Mr. President
Cruden	Gilbert	Mack	Sneed	
Cutting	Goodyear			

Yeas—71.
Nays—0.

Section 45, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 46, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 46, and moved its adoption:

Amend section 46 by substituting therefor the following:

"Section 46. All laws relating to courts shall be general and of uniform operation; and, so far as regulated by law, the organization, jurisdiction and powers of all courts of the same class or grades and the force and effect of the process, judgments and decrees of such courts severally, shall be uniform."

And the substitute for section 46 was adopted.

The question then being on the adoption of section 46, as amended, a call of the roll was had, resulting as follows: Yeas, 71; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Gray	McEwen	Stahl
Adamkiewicz	Dawes	Green	McGuire	Sutherland
Baldwin	De Young	Hamill	Meinert	Taff
Barr	Dietz	Hogan	Miller	Tebbens
Beckman	Dryer	Hull	Mills	Todd
Brenholt	Dunlap	Jack	Moore	Torrance
Brewster	Dupuy, G. A.	Jarman	Paddock	Traeger
Cary, C. D.	Elting	Johnson, L. C.	Pinnell	Trautmann
Carlstrom	Fifer	Kerrick	Quinn	Wall
Catron	Gale	Kunde	Revell	Warren
Chew	Ganschow	Latchford	Rinaker	Wilson
Clarke	Garrett	Lill	Shuey	Wolff
Corlett	Gee	Lindly	Smith	Mr. President
Cruden	Gilbert	Mack	Sneed	
Cutting	Goodyear			

Yeas—71.
Nays—0.

Section 46, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 47, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 47, and moved its adoption:

Amend section 47 by substituting therefor the following:

"Section 47. The General Assembly may, for cause entered on the journal of each House, upon due notice and opportunity of defense, remove from office any judge, upon concurrence of three-fourths of all the members

elected, of each House. All other officers in this article mentioned shall be removed from office on prosecution and final conviction for misdemeanor in office."

And the substitute for section 47 was adopted.

The question then being on the adoption of section 47, as amended, a call of the roll was had, resulting as follows: Yeas, 71; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Gray	McEwen	Stahl
Adamkiewicz	Dawes	Green	McGuire	Sutherland
Baldwin	De Young	Hamill	Meinert	Taff
Barr	Dietz	Hogan	Miller	Tebbens
Beckman	Dryer	Hull	Mills	Todd
Brenholt	Dunlap	Jack	Moore	Torrance
Brewster	Dupuy, G. A.	Jarman	Paddock	Traeger
Cary, C. D.	Elting	Johnson, L. C.	Pinnell	Trautmann
Carlstrom	Fifer	Kerrick	Quinn	Wall
Catron	Gale	Kunde	Revell	Warren
Chew	Ganschow	Latchford	Rinaker	Wilson
Clarke	Garrett	Lill	Shuey	Wolff
Corlett	Gee	Lindly	Smith	Mr. President
Cruden	Gilbert	Mack	Sneed	Yeas—71.
Cutting	Goodyear			Nays—0.

Section 47, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 48, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 48 and moved its adoption:

Amend section 48 by substituting therefor the following:

"Section 48. All judicial officers shall be commissioned by the Governor. All officers provided for in this article shall hold their offices until their successors shall qualify, and, excepting where their duties are to be performed, in whole or in part, elsewhere, they shall, respectively, reside in the district, circuit, or county for which they may be elected or appointed. Unless otherwise provided in this article the terms of office of all such officers shall be four years, and they shall perform such duties and receive such salaries as are, or may be, provided by law. The appointing power to fill vacancies in elective judicial offices is hereby vested in the Governor.

"In case of the appointment of a circuit or county judge as judge of the Appellate Court by the Supreme Court, the Supreme Court shall fill by appointment the vacancy thus caused in the Circuit or County Court. The judge so appointed to the Circuit or County Court shall serve until his successor is elected and qualified."

And the substitute for section 48 was adopted.

The question then being on the adoption of section 48, as amended, a call of the roll was had, resulting as follows: Yeas, 71; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Gray	McEwen	Stahl
Adamkiewicz	Dawes	Green	McGuire	Sutherland
Baldwin	De Young	Hamill	Meinert	Taff
Barr	Dietz	Hogan	Miller	Tebbens
Beckman	Dryer	Hull	Mills	Todd
Brenholt	Dunlap	Jack	Moore	Torrance
Brewster	Dupuy, G. A.	Jarman	Paddock	Traeger
Cary, C. D.	Elting	Johnson, L. C.	Pinnell	Trautmann
Carlstrom	Fifer	Kerrick	Quinn	Wall
Catron	Gale	Kunde	Revell	Warren
Chew	Ganschow	Latchford	Rinaker	Wilson
Clarke	Garrett	Lill	Shuey	Wolff
Corlett	Gee	Lindly	Smith	Mr. President
Cruden	Gilbert	Mack	Sneed	Yeas—71.
Cutting	Goodyear			Nays—0.

Section 48, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 49, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 49, and moved its adoption:

Amend section 49 by substituting therefor the following:

"Section 49. All process shall run: In the name of the people of the State of Illinois; and all prosecutions shall be carried on: In the name and by the authority of the People of the State of Illinois and conclude: Against the peace and dignity of the same."

And the substitute for section 49 was adopted.

The question then being on the adoption of section 49, as amended, a call of the roll was had, resulting as follows: Yeas, 71; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Gray	McEwen	Stahl
Adamkiewicz	Dawes	Green	McGuire	Sutherland
Baldwin	De Young	Hamill	Meinert	Taff
Barr	Dietz	Hogan	Miller	Tebbens
Beckman	Dryer	Hull	Mills	Todd
Brenholt	Dunlap	Jack	Moore	Torrance
Brewster	Dupuy, G. A.	Jarman	Paddock	Traeger
Cary, C. D.	Elting	Johnson, L. C.	Pinnell	Trautmann
Carlstrom	Fifer	Kerrick	Quinn	Wall
Catron	Gale	Kunde	Revell	Warren
Chew	Ganschow	Latchford	Rinaker	Wilson
Clarke	Garrett	Lill	Shuey	Wolff
Corlett	Gee	Lindly	Smith	Mr. President
Cruden	Gilbert	Mack	Sneed	Yeas—71.
Cutting	Goodyear			Nays—0.

Section 49, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 50, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. DeYoung offered the following as a substitute for section 50 and moved its adoption:

Amend section 50 by substituting therefor the following:

"Section 50. 'Population' whenever used in this article, shall be determined by the next preceding census (of this State or) of the United States."

And the substitute for section 50 was adopted.

Mr. Gale offered the following amendment and moved its adoption:

AMENDMENT No. 16.

Amend section 50, as amended, by striking out the words "of this State or."

And the amendment was adopted.

The question then being on the adoption of section 50, as amended, a call of the roll was had, resulting as follows: Yeas, 71; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Gray	McEwen	Stahl
Adamkiewicz	Dawes	Green	McGuire	Sutherland
Baldwin	De Young	Hamill	Meinert	Taff
Barr	Dietz	Hogan	Miller	Tebbens
Beckman	Dryer	Hull	Mills	Todd
Brenholt	Dunlap	Jack	Moore	Torrance
Brewster	Dupuy, G. A.	Jarman	Paddock	Traeger
Cary, C. D.	Elting	Johnson, L. C.	Pinnell	Trautmann
Carlstrom	Fifer	Kerrick	Quinn	Wall
Catron	Gale	Kunde	Revell	Warren
Chew	Ganschow	Latchford	Rinaker	Wilson
Clarke	Garrett	Lill	Shuey	Wolff
Corlett	Gee	Lindly	Smith	Mr. President
Cruden	Gilbert	Mack	Sneed	Yeas—71.
Cutting	Goodyear			Nays—0.

Section 50, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 8, of the report of the Committee of the Whole, was again taken up.

Whereupon Mr. Miller offered the following as a substitute for section 8 and moved its adoption:

Amend section 8, by substituting therefor the following:

"Section 8. Whenever a majority of the justices of the Supreme Court shall certify to the Governor that the court is unable to hear and dispose of the causes pending in that court with reasonable dispatch, the Governor shall designate one or more judges of the Appellate Court as requested by the Supreme Court, to serve as associate justices or justices of the Supreme Court. Every judge so designated shall be relieved of his duties in the Appellate Court and shall serve as an associate justice of the Supreme Court, and receive the salary paid justices of that court, until the Supreme Court certifies that his services are no longer required in that court, when he shall return to the Appellate Court."

And the substitute for section 8 was adopted.

The question then being on the adoption of section 8, as amended, a call of the roll was had, resulting as follows: Yeas, 24; nays, 42.

Those voting in the affirmative are: Messrs.

Adams	Clarke	Dupuy, G. A.	Jack	Paddock
Adamkiewicz	Corlett	Garrett	Johnson, L. C.	Revell
Baldwin	Cutting	Goodyear	Mack	Smith
Barr	Davis	Green	Miller	Wilson
Cary, C. D.	Dawes	Hull	Moore	Yeas—24.

Those voting in the negative are: Messrs.

Beckman	Elting	Jarman	Mills	Tebbens
Brenholt	Fifer	Kerrick	Pinnell	Todd
Brewster	Gale	Latchford	Quinn	Traeger
Carlstrom	Ganschow	Lill	Rinaker	Trautmann
Chew	Gee	Lindly	Sneed	Wall
Cruden	Gilbert	McEwen	Stahl	Warren
Dietz	Gray	McGuire	Sutherland	Wolff
Dryer	Hamill	Meinert	Taff	Mr. President
Dunlap	Hogan			Nays—42.

Section 8, having received the votes of less than a majority of the Delegates elected, failed to pass.

Mr. Gilbert moved to reconsider the vote by which section 38, of Report No. 18, was adopted.

And the question being on the motion to reconsider, it was decided in the affirmative.

Whereupon Mr. Catron offered the following amendment and moved its adoption:

AMENDMENT No. 17.

Amend section 38 at the end thereof by changing the period to a semicolon and adding the following:

"Nor to the office of State's attorney in and for any county, unless at the time of his election or appointment, he shall be licensed to practice law in this State."

And the amendment was adopted.

The question then being on the adoption of section 38, as amended, a call of the roll was had, resulting as follows: Yeas, 69; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Goodyear	Mack	Sneed
Adamkiewicz	Dawes	Gray	McEwen	Stahl
Baldwin	De Young	Green	McGuire	Sutherland
Beckman	Dietz	Hamill	Meinert	Taff
Brenholt	Dryer	Hogan	Miller	Todd
Brewster	Dunlap	Hull	Mills	Torrance
Cary, C. D.	Dupuy, G. A.	Jack	Moore	Traeger
Carlstrom	Elting	Jarman	Paddock	Trautmann
Catron	Fifer	Johnson, L. C.	Pinnell	Wall
Chew	Gale	Kerrick	Quinn	Warren
Clarke	Ganschow	Kunde	Revell	Wilson
Corlett	Garrett	Latchford	Rinaker	Wolff
Cruden	Gee	Lill	Shuey	Mr. President
Cutting	Gilbert	Lindly.	Smith	

Yeas—69.
Nays—0.

Section 38, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Mr. Trautmann moved to reconsider the vote by which section 8, of Report No. 18, had failed to pass.

And the question being on the motion to reconsider, it was decided in the affirmative.

Whereupon Mr. DeYoung moved to substitute section 3, of the report of the Committee on Phraseology and Style, for section 8, as amended.

And the motion prevailed.

The question then being on the adoption of section 8, as amended, a call of the roll was had, resulting as follows: Yeas, 70; nays, 2.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Goodyear	Mack	Smith
Adamkiewicz	Davis	Gray	McEwen	Sneed
Baldwin	Dawes	Green	McGuire	Stahl
Barr	De Young	Hamill	Meinert	Sutherland
Beckman	Dietz	Hogan	Miller	Tebbens
Brenholt	Dryer	Hull	Mills	Todd
Brewster	Dunlap	Jack	Moore	Torrance
Cary, C. D.	Dupuy, G. A.	Jarman	Paddock	Traeger
Carlstrom	Elting	Johnson, L. C.	Pincus	Trautmann
Catron	Fifer	Kerrick	Pinnell	Wall
Chew	Ganschow	Kunde	Quinn	Warren
Clarke	Garrett	Latchford	Revell	Wilson
Corlett	Gee	Lill	Rinaker	Wolff
Cruden	Gilbert	Lindly	Shuey	Mr. President

Yeas—70.

Those voting in the negative are: Messrs.

Gale Taff

Nays—2.

Section 8, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 7, of the report of the Committee of the Whole, was taken up and read at large.

Whereupon Mr. Green offered the following as a substitute for section 7, and moved its adoption:

Amend section 7, of Report No. 18, by substituting therefor the following:

"The justices of the Supreme Court in office at the time of the adoption of this Constitution shall continue to hold office during the respective terms for which they were elected, and until their successors are elected and shall qualify. The term of office of justices of the Supreme Court elected after the adoption of this Constitution other than those elected or appointed to fill unexpired terms shall be ten years from the day of their election.

There shall be elected on the following dates and every ten years thereafter:

At the annual election in the year 1923, one justice in the first district.

At the annual election in the year 1925, one justice in the sixth district.

At the annual election in the year 1926, one justice from the fourth district.

At the annual election in the year 1927, one justice from the third district.

At the annual election in the year 1928, one justice from the fifth district.

At the annual election in the year 1929, one justice from the first district.

At the annual election in the year 1930, one justice from the second district.

So long as there shall be two members of the Supreme Court from the second district, one member of the court, to be selected by themselves, shall be designated and serve as administrative executive of the Supreme Court of the State of Illinois, and, while so designated, he shall be relieved from duty in the consideration of causes pending in said court."

And the substitute for section 7 was adopted.

Mr. DeYoung offered the following as a substitute for section 7, as amended, and moved its adoption:

Amend section 7 by substituting the following:

"Section 7. The justices of the Supreme Court in office at the time of the adoption of this Constitution shall continue to hold office during the respective terms for which they were elected or appointed and until their successors are elected and shall qualify. The term of office of justices of the Supreme Court elected after the adoption of this Constitution, other than justices elected or appointed to fill unexpired terms, shall be ten years from the day of their election. There shall be elected:

At the annual election in November, A. D. 1923, and every ten years thereafter, one justice from the first district.

At the annual election in November, A. D. 1925, and every ten years thereafter, successor to the justice from the fourth and sixth districts.

At the annual election in November, A. D. 1927, and every ten years thereafter, successors to the justices from the third and fifth districts.

At the annual election in the year 1929, one justice from the first district.

At the annual election in the year 1931, one justice from the second district.

So long as there shall be two members of the Supreme Court from the second district, one member of the court, to be selected by themselves, shall be designated and serve as administrative executive of the Supreme Court of the State of Illinois, and while so designated, he shall be relieved from duty in the consideration of causes pending in said court."

And the substitute for section 7 was adopted.

Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT No. 18.

Amend section 7 by adding at the end thereof the following:

"The office of the justice residing in the second district whose term shall first expire shall cease to exist upon such expiration."

And the amendment was adopted.

Mr. Smith moved to reconsider the vote by which Amendment No. 18 was adopted.

Mr. Hamill moved to lay that motion on the table.

The question being on the motion to table, a division of the Convention was had, resulting as follows: Yeas, 26; nays, 39.

And the motion to table was lost.

The question recurring on the motion to reconsider, it was decided in the affirmative.

The question being on the adoption of Amendment No. 18, pending discussion, Mr. Gale moved that section 7, and all amendments thereto be referred to the Committee on Schedule.

And the motion prevailed.

The Convention proceeding upon the consideration of Report No. 13, of the Committee on Phraseology and Style, on the subject of Canals and Waterways, section 2 thereof was again taken up.

Whereupon Mr. Corlett moved that section 2, of the report of the Committee of the Whole, be substituted for section 2, as now amended.

And the motion prevailed.

Mr. Sutherland moved the previous question.

And the question being, "Shall the main question be now put?" it was decided in the affirmative.

The question then being on the adoption of section 2, of Report No. 13, of the report of the Committee of the Whole.

Pending roll call, Mr. Lindly moved that further consideration of section 2, be postponed.

And the motion prevailed.

Section 6, of the report of the Committee of the Whole, was again taken up.

Whereupon Mr. Fifer offered the following as a substitute for section 6, and moved its adoption:

Amend section 6, by substituting there for the following:

"Section 6. No appropriation for the Illinois and Michigan Canal or for the Illinois Waterway and its appurtenances shall be made from the State treasury, except from the special funds respectively in the treasury arising from the proceeds, receipts and income of such canal or of such Illinois Waterway. The General Assembly shall never contract debts for canals or waterways, or appurtenances thereof, except in the manner provided by section 18½ of the article on Legislative Department."

Pending discussion, Mr. Lindly moved that further consideration of section 6, together with the pending substitute therefor, be postponed.

And the motion prevailed.

Mr. Wall moved to reconsider the vote by which section 13, of Report No. 11, of the Committee on Phraseology and Style, was adopted.

Mr. Sneed moved to lay that motion on the table.

And the question being on the motion to table, it was decided in the affirmative.

The Convention proceeding upon the consideration of Report No. 8, of the Committee on Phraseology and Style, on the subject of Chicago and Cook County.

Mr. Hull offered the following amendment and moved its adoption:

AMENDMENT No. 17.

Amend Report No. 8, by adding a new section thereto, to be known as section 18, as follows:

"Section 18. The county authorities shall never assess taxes the aggregate of which shall exceed seventy-five cents per one hundred dollars valuation except such additional taxes as may have been authorized prior to the adoption of this Constitution, unless authorized by a vote of the people of the county.

After any consolidation of all or part of the county of Cook with any other taxing body exercising county functions has been effected, the limit of taxation shall be fixed by the General Assembly in accordance with general of special law."

And the amendment was adopted.

The question then being on the adoption of section 18, a call of the roll was had, resulting as follows: Yeas, 64; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Gray	Meinert	Stahl
Adamkiewicz	De Young	Green	Miller	Sutherland
Baldwin	Dietz	Hamill	Mills	Taff
Barr	Dryer	Hogan	Moore	Tebbens
Brenholt	Dunlap	Hull	Paddock	Todd
Brewster	Dupuy, G. A.	Jack	Pincus	Torrance
Carlstrom	Elting	Johnson, L. C.	Pinnell	Traeger
Catron	Fifer	Kerrick	Quinn	Trautmann
Chew	Gale	Kunde	Revell	Wall
Clarke	Ganschow	Lill	Rinaker	Warren
Corlett	Gee	Lindly	Shuey	Wilson
Cruden	Gilbert	Mack	Smith	Mr. President
Davis	Goodyear	McGuire	Sneed	

Yeas—64.
Nays—0.

Section 18, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Mr. G. A. Dupuy offered the following resolution and moved its adoption:

RESOLUTION No. 39.

Resolved, That it is the sense of this Convention that any person holding any office at the time of the adoption of this Constitution, and all persons who may be at the November election, A. D. 1922, elected to offices now existing, shall hold their said offices respectively during the term for which elected whether or not prior to that election this Constitution shall go into effect. That the Committee on Schedule be and is hereby instructed to bring in a report accordingly.

And the resolution was adopted.

Mr. Hamill moved that when the Convention adjourns today it stand adjourned until Tuesday, June 13, 1922, at 10:00 o'clock a. m.

Mr. Revell moved to amend the motion to read "Tuesday, June 6, 1922."

And the question being on the adoption of the amendment, it was decided in the negative.

The question recurring on the motion of Mr. Hamill, it was decided in the affirmative.

At the hour of 11:30 o'clock p. m., Mr. Hamill moved that the Convention do now adjourn.

The motion prevailed.

And the Convention stood adjourned until Tuesday, June 13, 1922, at 10:00 o'clock a. m.

TUESDAY, JUNE 13, 1922, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. R. S. McCown, of the Presbyterian Church, of Pontiac.

The Journal of Thursday, May 4, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up.

Whereupon Mr. Hull asked and obtained unanimous consent to have the printed Journal corrected, on page 14, by inserting his Amendment No. 16, offered at the time but not considered, in conjunction with Amendment No. 15, as follows:

AMENDMENT No. 16.

Amend Report No. 8, by adding a new section thereto to be known as section 17a, as follows:

"Section 17a. Each issue of bonds or other securities by the city for financing any income-producing public utility shall be payable in substantially equal annual installments of principal and interest combined beginning not more than five years from the date thereof, but provision may be made for the payment of any part of such debt in advance. No such bonds or other securities shall be issued unless the proposition therefor is approved at an election by a majority of those voting on the question.

The City of Chicago if it shall own or operate any such public utility, shall conform to the requirements for keeping such account and for the audit thereof and for making reports that may be prescribed by law for a like utility privately owned.

Laws may be passed in aid of this and the preceding section."

There being no further corrections proposed, the Journal was ordered to stand approved.

In accordance with the resolution adopted April 25th, the Secretary called the roll of the Convention, which resulted as follows: Present 59.

Answering present: Messrs.

Adams	De Young	Hogan	Michal	Stahl
Beckman	Dietz	Hull	Miller	Sutherland
Brenholt	Dupee, E. H.	Iarussi	Mills	Taff
Brewster	Dupuy, G. A.	Ireland	Moore	Tebbens
Carlstrom	Elting	Jack	Nichols	Torrance
Catron	Fyke	Jarman	Pincus	Traeger
Clarke	Garrett	Johnson, L. C.	Pinnell	Trautmann
Corlett	Gee	Johnson, W. A.	Quinn	Wall
Cruden	Gilbert	Kerrick	Scanlan	Whitman
Cutting	Goodyear	Kunde	Shanahan	Wilson
Davis	Gray	Lindly	Shuey	Mr. President
Dawes	Hamill	Meinert	Smith	Present—59.

On account of sickness Messrs. Gale, McGuire and Wolff were excused from attendance at the sessions of the Convention this week.

The President laid before the Convention the appointment of the Committee on Submission and Address, as follows: Messrs. Green,

Chairman; Brandon, Shanahan, Jarman, Hamill, Smith, Ganschow, Barr, Morris, Sneed, O'Brien, Lindly, Davis, Wolff, and Fyke.

At the hour of 11:00 o'clock a. m., Mr. Hamill moved that the Convention do now take a recess until 2:00 o'clock p. m.

And the motion prevailed.

2:00 o'Clock P. M.

The hour of 2:00 o'clock p. m. having arrived, the Convention resumed its session.

The President presiding.

At the hour of 2:45 o'clock p. m., Mr. Davis moved that the Convention do now take a recess until 3:30 o'clock p. m.

And the motion prevailed.

3:30 o'Clock P. M.

The hour of 3:30 o'clock p. m. having arrived, the Convention resumed its session.

The President presiding.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Fifer to the chair, who, in turn, called Mr. Moore to the chair.

And at the hour of 3:35 o'clock p. m., the Convention went into Committee of the Whole for the consideration of the report of the Committee on Future Amendment of the Constitution.

At the hour of 6:37 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Moore, from the Committee of the Whole, having had under consideration the report of the Committee on Future Amendment of the Constitution, reported the same back together with the following amendment thereto, to-wit:

Amend section 2 by striking out of line 9 all after the word "election" and in line 10 the words "voting at said election" and substitute therefor the following: "and if voters equal in number to a majority of the votes cast for members of the House of Representatives."

And recommended that the report, as amended, do pass.

The report of the committee was concurred in and referred to the Committee on Phraseology and Style.

At the hour of 6:40 o'clock p. m., Mr. Green moved that the Convention do now adjourn until 9:00 o'clock a. m. tomorrow.

The motion prevailed.

And the Convention stood adjourned.

WEDNESDAY, JUNE 14, 1922, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. R. S. McCown, of the Presbyterian Church, of Pontiac.

The Journal of Friday, May 5, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

In accordance with the resolution adopted April 25, the Secretary called the roll of the Convention, which resulted as follows: Present, 70.

Those answering present are: Messrs.

Adams	Dawes	Gray	Lindly	Smith
Barr	De Young	Green	Meinert	Sneed
Beckman	Dietz	Hamill	Miller	Stahl
Brenholt	Dryer	Hogan	Mills	Sutherland
Brewster	Dunlap	Hollenbeck	Moore	Taff
Cary, C. D.	Dupee, E. H.	Hull	Nichols	Tebbens
Carlstrom	Dupuy, G. A.	Iarussi	O'Brien	Todd
Catron	Elting	Ireland	Paddock	Traeger
Clarke	Fifer	Jack	Pinnell	Trautmann
Coolley	Ganschow	Jarman	Rinaker	Wall
Corlett	Garrett	Johnson, L. C.	Scanlan	Warren
Cruden	Gee	Johnson, W. A.	Shanahan	Whitman
Cutting	Gilbert	Kerrick	Shuey	Wilson
Davis	Goodyear	Kunde	Six	Mr. President

Present—70.

The Convention proceeding on the order of reports of standing committees.

Mr. Clarke submitted the following report:

REPORT NO. 20.

YOUR COMMITTEE ON PHRASEOLOGY AND STYLE TO WHICH WAS REFERRED A PROPOSAL ENTITLED FUTURE AMENDMENTS, AS AMENDED IN COMMITTEE OF THE WHOLE, RESPECTFULLY REPORTS THAT IT HAS CONSIDERED SUCH PROPOSAL AND PRESENTS HEREWITH A SUBSTITUTE THEREFOR AS RECOMMENDED BY THIS COMMITTEE.

RESOLVED, *That the following shall become a part of the Constitution of Illinois:*

Section 1. Whenever two-thirds of the members of each House of the General Assembly, by a vote entered upon the Journals, shall concur that a Convention is necessary to revise, alter or amend the Constitution, the question shall be submitted to the electors at the next general election. If a majority voting at the election vote for a Convention, the General Assembly at the next session shall provide for a Convention to consist of twice the number of members of the Senate to be elected in the same manner, at the same places and in the same districts as Senators. The General Assembly in the act calling the Convention shall designate the day, hour and place of its meeting, fix the pay of its members and officers, and provide for their payment, and for the expenses necessarily incurred by the Convention in

the performance of its duties. Before proceeding, the members shall take an oath to support the Constitution of the United States and the Constitution of this State and to discharge faithfully their duties as members of the Convention. The qualifications of members shall be the same as those of members of the Senate and vacancies shall be filled in the manner provided for filling vacancies in the General Assembly. The Convention shall meet within three months after the election and prepare such revision, alteration or amendments of the Constitution as it deems necessary. Such revision, alteration or amendments shall be submitted to the electors for their ratification or rejection at an election appointed by the Convention for that purpose, not less than two months nor more than six months after its adjournment. Unless so submitted and approved by a majority of those voting at the election no such revision, alteration or amendment shall take effect.

Section 2. Amendments to the Constitution may be proposed in either House of the General Assembly and if voted for by two-thirds of the members elected to each House, such proposed amendments together with the yeas and nays of each House thereon, shall be entered in full upon their respective Journals. Such amendments shall be submitted to the electors for adoption or rejection at the next election for members of the General Assembly in the manner prescribed by law, and shall be published in full at least three months before the election. If electors equal in number to a majority of the votes cast for members of the House of Representatives, vote for the proposed amendments, they shall become part of the Constitution. The General Assembly shall not propose amendments to more than two articles of the Constitution at the same session or to the same articles oftener than once in four years.

Respectfully submitted,

(Signed) Elam L. Clarke, *Chairman.*
George A. Barr.
E. H. Brewster.
Eugene H. Dupee.
Thomas Rinaker.
C. B. T. Moore.

June 14, 1922.

The report of the committee was ordered printed and the proposal placed on the order of second reading.

The Convention proceeding upon the consideration of the report of the Committee on Phraseology and Style, on the subject of future amendment of the Constitution, section 1 thereof was taken up and read at large.

Pending roll call Mr. Corlett moved that further consideration of section 1 be postponed.

And the motion prevailed.

Section 2 was taken up and read at large.

Whereupon Mr. Cutting offered the following amendment and moved its adoption:

Amendment No. 1.

Amend section 2 by striking out the word "articles" in the last line thereof and inserting in lieu thereof the word "section."

And the amendment was adopted.

The question then being on the adoption of section 2, as amended, a call of the roll was had, resulting as follows: Yeas, 69; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	De Young	Green	Meinert	Sneed
Barr	Dietz	Hamill	Miller	Stahl
Beckman	Dryer	Hogan	Mills	Sutherland
Brenholt	Dunlap	Hollenbeck	Moore	Taff
Brewster	Dupee, E. H.	Hull	Nichols	Tebbens
Cary, C. D.	Dupuy, G. A.	Iarussi	Paddock	Todd
Carlstrom	Elting	Ireland	Pinnell	Traeger
Clarke	Fifer	Jack	Rinaker	Trautmann
Coolley	Ganschow	Jarman	Rosenberg	Wall
Corlett	Garrett	Johnson, L. C.	Scanlan	Warren
Cruden	Gee	Johnson, W. A.	Shanahan	Whitman
Cutting	Gilbert	Kerrick	Shuey	Wilson
Davis	Goodyear	Kunde	Six	Mr. President
Dawes	Gray	Lindly	Smith	

Yeas—69.
Nays—0.

Section 2, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style, for action as provided by Rule 20.

The Convention proceeding upon the consideration of Report No. 13. of the Committee on Phraseology and Style, on the subject of canals and waterways, section 2, of the report of the Committee of the Whole, was again taken up.

Whereupon Mr. Jarman offered the following as a substitute for section 2, and moved its adoption:

Amend section 2 by substituting therefor the following:

"Section 2. No further appropriations for or in aid of the Illinois Waterway or any of its appurtenances shall be made by the General Assembly except subject to the approval by a majority of the voters voting at a general election as shall be provided by law, and then only after an adequate flow of water from Lake Michigan has been provided by or with the approval of the Federal Government, and after an effective sewerage disposal system for Chicago sewage without substantial pollution of the waters of the Illinois River, shall be in successful operation.

Mr. Scanlan moved to lay the substitute on the table.

And the question being on the motion to table, it was decided in the affirmative.

The question then being on the adoption of section 2, a call of the roll was had, resulting as follows: Yeas, 52; nays, 18.

Those voting in the affirmative are: Messrs.

Barr	De Young	Hamill	Michal	Smith
Beckman	Dietz	Hogan	Miller	Sutherland
Brenholt	Dryer	Hull	Mills	Tebbens
Cary, C. D.	Dunlap	Iarussi	Moore	Todd
Catron	Dupee, E. H.	Ireland	O'Brien	Traeger
Clarke	Dupuy, G. A.	Jack	Paddock	Trautmann
Corlett	Elting	Johnson, L. C.	Rosenberg	Warren
Cruden	Ganschow	Kunde	Scanlan	Whitman
Cutting	Garrett	Lindly	Shanahan	Wilson
Davis	Gilbert	Meinert	Six	Mr. President
Dawes	Green			

Yeas—52.

Those voting in the negative are: Messrs.

Adams	Gee	Jarman	Pinnell	Stahl
Brewster	Goodyear	Johnson, W. A.	Shuey	Taff
Coolley	Gray	Kerrick	Sneed	Wall
Fifer	Hollenbeck	Nichols		

Nays—18.

Answering present but not voting: Mr. Rinaker

Total—1.

Section 2, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the

Committee on Phraseology and Style for action, as provided by Rule 20.

Mr. Lindly moved to reconsider the vote by which section 2 was adopted.

Mr. Barr moved to lay that motion on the table.

And the question being on the motion to table, it was decided in the affirmative.

Section 6, of the report of the Committee of the Whole, together with the pending substitute therefor, was again taken up.

Whereupon, by unanimous consent, Mr. Fifer withdrew the pending substitute for section 6.

The question then being on the adoption of section 6, as amended, a call of the roll was had, resulting as follows: Yeas, 65; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dietz	Hogan	Mills	Stahl
Barr	Dryer	Hollenbeck	Moore	Sutherland
Brenholt	Dunlap	Hull	Nichols	Taff
Brewster	Dupee, E. H.	Iarussi	O'Brien	Tebbens
Cary, C. D.	Elting	Ireland	Paddock	Todd
Catron	Ganschow	Jack	Pinnell	Traeger
Clarke	Garrett	Johnson, L. C.	Rinaker	Trautmann
Coolley	Gee	Kerrick	Rosenberg	Wall
Corlett	Gilbert	Kunde	Scanlan	Warren
Cruden	Goodyear	Lindly	Shanahan	Whitman
Cutting	Gray	Meinert	Shuey	Wilson
Davis	Green	Michal	Smith	Mr. President
Dawes	Hamill	Miller	Sneed	
De Young				

Yeas—65.
Nays—0.

At the hour of 12:15 o'clock p. m., Mr. Green moved that the Convention do now take a recess until 2:00 o'clock p. m.

And the motion prevailed.

2:00 o'Clock P. M.

The hour of 2:00 o'clock p. m. having arrived, the Convention resumed its session.

The President presiding.

The Convention proceeding upon the consideration of Report No. 8, of the Committee on Phraseology and Style, on the subject of Chicago and Cook County, section 16a was again taken up.

Whereupon Mr. Miller offered the following amendments and moved their adoption:

Amendment No. 18.

Amend section 16a by striking out beginning in line 2 thereof the following words: "Up to 15 per cent of the full value of the taxable real property therein as ascertained by the last assessment for State and county taxes previous to the issuing of such bonds but any such bonds may be issued only for" and by inserting in lieu thereof the words "for the purpose of," and by striking out beginning in line 6 thereof after the word "transportation" the words: "Communication, light, heat, power" so that the first sentence of said section 16a shall read as follows:

"The City of Chicago may issue bonds (in addition to any debt otherwise permitted by this Constitution) for the purpose of acquiring, leasing, constructing or operating income-producing property for supplying transportation or water."

And the amendment was adopted.

AMENDMENT No. 19.

Amend section 16a by striking out in line 9 thereof the word "thirty" and by inserting in lieu thereof the word "forty."

And the amendment was adopted.

AMENDMENT No. 20.

Amend section 16a by inserting in line 6 of the second paragraph thereof after the words "gross earnings" the words "or the rentals."

And the amendment was adopted.

AMENDMENT No. 21.

Amend section 16a by striking out the word "its" before the word "treasurer" in the second paragraph thereof and inserting in lieu thereof the words "the cities."

And the amendment was adopted.

AMENDMENT No. 22.

Amend section 16a by inserting in line 3 of the third paragraph thereof after the word "supplied" the words "or such rentals if the property shall be let for private operation."

And the amendment was adopted.

Mr. Wilson offered the following amendment and moved its adoption:

AMENDMENT No. 23.

Amend section 16a so that the first sentence thereof shall read as follows:

"The City of Chicago may issue bonds (in addition to any debt otherwise permitted by this Constitution) for the purpose of building a transportation subway to be leased to the transportation companies upon an indeterminate franchise."

And the amendment was lost.

Pending roll call Mr. Hull moved that further consideration of section 16a be postponed.

And the motion prevailed.

By unanimous consent, upon his request, Mr. Michal was excused from attendance at the sessions of the Convention for the balance of the week.

At the hour of 5:00 o'clock p. m., Mr. Davis moved that the Convention do now adjourn until 9:00 o'clock a. m. tomorrow.

The motion prevailed.

And the Convention stood adjourned.

THURSDAY, JUNE 15, 1922, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. R. S. McCown, of the Presbyterian Church, of Pontiac.

The Journal of Tuesday, June 13, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

In accordance with the resolution adopted April 25, the Secretary called the roll of the Convention, which resulted as follows: Present, 64.

Those answering present are: Messrs.

Adams	Davis	Hogan	Meinert	Smith
Barr	Dawes	Hollenbeck	Miller	Stahl
Brenholt	De Young	Hull	Mills	Sutherland
Brewster	Dietz	Iarussi	Moore	Taff
Cary, C. D.	Dunlap	Ireland	Nichols	Tebbens
Carlstrom	Dupee, E. H.	Jack	Paddock	Traeger
Catron	Dupuy, G. A.	Jarman	Pinnell	Trautmann
Chew	Elting	Johnson, L. C.	Rinaker	Wall
Clarke	Fifer	Johnson, W. A.	Rosenberg	Warren
Cooley	Ganschow	Kerrick	Scanlan	Whitman
Corlett	Gilbert	Kunde	Shanahan	Wilson
Cruden	Goodyear	Lindly	Shuey	Mr. President
Cutting	Hamill	McEwen	Six	Present—64.

The Convention proceeding on the order of reports of standing committees.

Mr. G. A. Dupuy submitted the following report:

Report of the Committee on Schedule.

Your Committee on Schedule respectfully reports to the Convention the following sections and recommends their adoption:

That no inconvenience may arise from the alterations and amendments made in the Constitution of this State, and to carry the same into complete effect, it is hereby ordained and declared:

Section 1. That all laws in force at the adoption of this Constitution, not inconsistent therewith, and all rights, actions, prosecution, claims, and contracts of this State, individuals, or bodies corporate, shall continue to be as valid as if this Constitution had not been adopted.

Section 2. That all fines, taxes, penalties and forfeitures, due and owing to the State of Illinois under the present Constitution and laws, shall inure to the use of the people of the State of Illinois, under this Constitution.

Section 3. Recognizances, bonds, obligations, and all other instruments entered into or executed before the adoption of this Constitution, to the people of the State of Illinois, to any State or county officer or public body, shall remain binding and valid; and rights and liabilities upon the same shall continue, and all crimes and misdeameanors shall be tried and punished as though no change had been made in the Constitution of this State.

Section 4. All persons now filling any office or appointment shall continue the exercise of the duties thereof and according to their respective commissions or appointments, unless by this Constitution it is otherwise directed.

Section 5. Except as otherwise provided in this Constitution all persons elected to any office at the November election in 1922 shall continue in office during the term for which they are respectively elected subject to such changes in their duties as may be prescribed by this Constitution.

Section 6. In order that elections be held regularly in November, all persons who shall hereafter be elected to any office of the State or of any political subdivision thereof at any election held prior to the November election nineteen hundred twenty-three, shall hold office until the next ensuing November election following the date when the term of such office would otherwise expire.

Except as otherwise provided in this Constitution, every person holding any office of this State or of any political subdivision thereof at the time of the adoption of this Constitution, and whose term of office shall expire after the November election nineteen hundred twenty-three, shall continue in office until the November election next ensuing the time when such term of office would otherwise regularly expire.

Section 7. After the adoption of this Constitution when the State is first apportioned for members of the Senate, it shall be provided that three of the additional members shall be elected the first time for a term of two years and the other three additional members for a term of four years.

Section 8. The terms of office of the Justices of the Supreme Court now in office shall expire at the several dates now provided by law.

Section 9. On the day this Constitution is submitted to the people for ratification an election shall be held for a Justice of the Supreme Court in the first judicial district designated in this Constitution, at which election every person entitled to vote according to the terms of this Constitution shall be allowed to vote, and the election shall be otherwise conducted, returns made and certificate issued in accordance with existing laws. If, upon canvassing the votes for and against the adoption of this Constitution it shall appear that this Constitution shall not have been adopted, then no certificate of election shall be issued for said Justice.

The Justice, if elected and commissioned shall hold his office until the first Monday of June, nineteen hundred and thirty-three, but he shall not enter upon the discharge of his duties until the first Monday of June, nineteen hundred and twenty-four, unless prior to that time there shall be a vacancy from any district on the Supreme Court in which case he shall fill such vacancy until the first Monday of June, nineteen hundred and twenty-four.

When the term of office of the Justice residing in the second district (elected from the sixth district under the Constitution of 1870) expires on the first Monday of June, nineteen hundred twenty-four, this said office shall cease to exist.

The successors in office of the Justices now in office shall be elected on the first Monday in June in the years in which the respective terms expire.

The Justice from the first district shall be elected for a term to expire on the first Monday of June, nineteen hundred thirty-five.

The justice from the fifth district shall be elected for a term to expire on the first Tuesday after the first Monday in November, nineteen hundred thirty-five.

The justices from the fourth and sixth districts shall each be elected for a term to expire on the first Tuesday after the first Monday in November, nineteen hundred thirty-three.

The Justice for the third district shall be elected for a term to expire on the first Tuesday after the first Monday of November, nineteen hundred thirty-seven.

The justice for the second district shall be elected for a term to expire on the first Tuesday after the first Monday of November, nineteen hundred thirty-nine.

After the expiration of the terms as above specified, the term of each justice shall be ten years from the day of his election. The justices from the first district shall be elected on the first Monday of June in the year in which

their terms expire and the justices from the second, third, fourth, fifth and sixth districts shall be elected on the first Tuesday after the first Monday in November in the year in which their terms expire.

Section 10. Any justice or judge now in office shall be eligible to re-election after the adoption of this Constitution.

Section 10A. Until otherwise provided by law, the judges of the Appellate Court of the first district shall receive the same salaries as are paid to the judges of the Circuit Courts within said district, and the judges of the Appellate Courts of the second, third and fourth districts shall each receive $8,500 per annum. Such salaries shall be payable in the same manner, at the same time, and from the same sources as the salaries of the judges of the Circuit Court within such districts respectively.

Section 11. On the first Monday of May A. D. 1923, the Circuit, Superior, Criminal, County and Probate Courts of Cook County, the Municipal Court of Chicago and the City Court of Chicago Heights shall be consolidated into one court of record to be known as the Circuit Court of Cook County.

Section 12. The judges of the Circuit, Superior, County and Probate Courts of Cook County in office on the first Monday of May, A. D. 1923, except the judges of the Circuit and Superior Courts of Cook County, by the adoption of this Constitution made judges of the Appellate Court for the first district, whose offices as judges of the Circuit and Superior Court of said county thereby cease to exist, shall be the judges of said consolidated court and shall continue to hold office during the respective terms for which they were elected or appointed, and until their successors are elected and shall qualify. The chief justice and the associate judges of the Municipal Court of Chicago shall be associate judges of said Circuit Court and shall continue to hold office during the respective terms for which they were elected or appointed as chief justice or associate judges of the Municipal Court of Chicago and one year in addition thereto, at the end of which terms their respective offices as associate judges of said Circuit Court shall cease to exist.

Section 13. The associate judges of the Circuit Court of Cook County shall, until the termination of their respective offices, perform such judicial duties in the classes of cases which were within the jurisdiction of the Criminal Court of Cook County at the time of the adoption of this Constitution, and also in the classes of cases arising in the County of Cook of which, if arising in the city of Chicago, the Municipal Court of Chicago had jurisdiction at the time of the adoption of this Constitution, as they may be assigned to perform, and during the periods of their terms of office as such associate judges, they shall receive the salaries allowed them by the laws in force on the first Monday of May, A. D. 1922, one-half of which salaries shall be payable out of the State treasury and one-half out of the county treasury of Cook County.

Section 14. The judge of the County Court of the County of Cook, who shall be in office at the time of the adoption of this Constitution shall continue to exercise, during the time for which he was elected, or until otherwise provided by law, the same control and supervision over all matters of election as provided by law. After the expiration of his term of office all such authority and supervision shall devolve upon the chief justice of the civil division of said Circuit Court until otherwise provided by law.

Section 15. The County Court of each county, other than the County of Cook, is hereby continued and on the third day of December, 1923, the County and Probate Courts in each county, other than in the county of Cook where both courts exist, shall be consolidated into one court to be known as the County Court.

Section 16. The judges of the County and Probate Courts in counties other than the County of Cook, in office on the third day of December, 1923, shall be judges of such consolidated court, and shall continue to hold office during the terms for which they were elected, and until their successors are elected and shall qualify.

Section 17. Unless prior to the first Monday of December, A. D. 1923, the General Assembly shall fix the salaries of county judges and of probate judges (other than those of the County of Cook), the salaries of such judges shall, from and after that date, until otherwise provided by law, be as follows: Such salaries shall be increased by the addition of 50 per cent of the present salary, with a minimum salary of two thousand five hundred dollars in counties having a population of less than fifteen thousand; in counties having a population of fifteen thousand and not over forty thousand, a minimum salary of four thousand dollars, and with a minimum salary of five thousand dollars in counties having a population of forty thousand or more. The county shall continue to pay the salary now provided by law, until the whole of such salaries become payable from the State treasury as in this Constitution provided, and until that time the increase of salary provided herein shall be payable monthly out of the State treasury.

Section 18. The provisions contained in the last sentence of section 126 in Article V shall not, so far as same affect the judges of the County and Probate Courts, become effective until the first Monday of December, A. D. 1923, unless hereafter prior to that date the General Assembly shall have fixed the salaries of such judges.

Section 19. The clerk of the Circuit Court of Cook County in office on first Monday of May, A. D. 1923, shall be the clerk of the Circuit Court herein provided, and the clerks of the Superior, Criminal and Probate Courts of Cook County and of the Municipal Court of Chicago shall, during the terms for which they were respectively elected, be associate clerks of the Circuit Court of Cook County, exercising as near as may be the same powers, including those relating to the selection, appointment, and discharge of all those employees theretofore in service in each of their respective offices; shall have same powers as theretofore in regard to the collection and disbursement of moneys. They shall perform the same duties and receive the same salaries as on the first Monday of May, A. D. 1923. At the November election in the year A. D. 1924, and every four years thereafter, there shall be elected a clerk of the Circuit Court of Cook County.

In case there shall occur a vacancy in the office of the clerk of the Circuit Court of Cook County at any time prior to the November election in the year A. D. 1924, then and in that case such vacancy shall be filled by appointment by a majority of the judges and associate judges, of the Circuit Court of one of such associate clerks who shall hold office until the November election in 1924.

Section 20. The office of judge of the city court and judge of the Probate Court or probate judge shall be abolished from and after the respective consolidations of city and Probate Courts with other courts as in this Constitution provided. The offices of justices of the peace and constable existing at the time of the adoption of this Constitution shall, from and after the election or appointment and qualification of justices of the peace and constables in the respective districts, towns or portions of towns, in accordance with the provisions of this Constitution as to such districts, towns or portions of towns, be abolished.

Section 21. The clerk of the County Court of each county, other than the County of Cook, in office on the third day of December, 1923, shall be the clerk of the County Court, and the clerk of the Probate Court of each county, other than the County of Cook, having a probate clerk, shall be the chief deputy county clerk of the County Court during the terms for which they were elected, and at the salaries received by them severally at the time of the adoption of this Constitution and at the expiration of the respective terms of office of the probate clerks in office on the third day of December, 1923, said office of probate clerk be abolished.

Section 22. The bailiff of the Municipal Court of Chicago shall, upon the consolidation of the courts of Cook County as in this Constitution provided become assistant sheriff of the County of Cook and he shall during his term have as near as may be the same powers, duties, and responsibilities as prior to such consolidation, including the charge of his deputies, with power of selection, appointment, and removal.

Section 23. This Constitution shall be submitted to the people of the State of Illinois for adoption or rejection at an election to be held on Saturday,..... The county clerks of the respective counties of this State shall give notice between the..... and.....days of....., A. D. 1922, in the manner required by law for notices of general elections, that at such election this Constitution will be submitted to the electors of this State for adoption or rejection.

Section 24. Every person entitled to vote under the provisions of this Constitution, as defined in the article on suffrage and election, shall be entitled to vote for the adoption or rejection of this Constitution, and such persons shall vote by ballot at their usual places of voting at a general election. Such election shall be conducted and the returns thereof made according to the laws now in force regulating general elections, except that no registry shall be required at such election except in election districts in which registration of voters is now required for general elections. In such districts no person shall vote except those registered as required by existing laws. The polls shall be kept open at such election for the reception of ballots from the hour of seven o'clock in the morning until the hour of seven o'clock in the evening.

Section 25. The officers now required by law, in the case of general elections, to provide proper election supplies for each precinct or district, shall provide, in the manner now required by law for conducting general elections, all necessary poll books, tally sheets, form of return, and ballots for such election. There shall be prepared and furnished one and one-tenth times as many ballots as there are votes in the election district in which such officers have jurisdiction.

Section 26. The elector shall designate his vote by a cross mark thus, X, to be placed in one of the spaces on the right-hand margin of the ballot. Each ballot shall be a vote for a vote against the adoption of this Constitution, as shall be indicated by the cross mark of the voter on the ballot.

Section 27. The ballots cast for and against this Constitution shall be received and canvassed by the judges and clerks of such election and returned to the county clerks of their respective counties, within five days after such election, in the same manner as ballots cast for members of the General Assembly are required by law to be received, canvassed, and returned to such county clerks.

Section 28. Returns shall be made by the several county clerks to the Secretary of State and shall show the aggregate number of votes cast in each county (a) for the adoption of this Constitution, and (b) against the adoption of this Constitution. Such returns shall be made by the several county clerks within fifteen days after such election; such returns shall within ten days thereafter be examined and canvassed by the Attorney General, the Secretary of State, the Auditor of Public Accounts, and the State Treasurer, or any three of them, in the presence of the Governor, and proclamation shall be made by the Governor forthwith of the result of the canvass. It it shall appear that a majority of the votes polled are for the new Constitution, the same shall be the supreme law of the State of Illinois on and after.....the.....day of.....

GEORGE A. DUPUY, *Chairman,*
WM. E. TRAUTMAN,
PHILIP E. ELTING,
ANDREW H. MILLS,
ALBERT E. TAFF,
Committee on Schedule.

MINORITY REPORT OF COMMITTEE ON SHEDULE.

The undersigned members of the Committee on Schedule beg leave to make a minority report as to sections 8 and 9, in substitution for which we offer the following:

Section 8. The terms of office of the justices of the Supreme Court in office at the time of the adoption of this Constitution are extended to the dates of the respective elections first to be held in the several districts established by this Constitution; which elections shall be held in the month of June, in the several years, and in the several districts, and (except as herein otherwise provided) every ten years thereafter, as follows:

In the fourth district, in 1925, for election of one justice.

In the fifth district, in 1925, for election of one justice.

In the sixth district, in 1925, for election of one justice.

In the third district, in 1927, for election of one justice.

In the first district, in 1927, for election of one justice.

In the second district, in 1931, for election of one justice.

The term of office of the Justice residing in the second district (elected from the sixth district under the Constitution of 1870) is hereby extended to the November election, 1927, at which time, or sooner in case of vacancy therein, such office shall cease to exist.

Section 9. On the day this Constitution is submitted to the people for ratification an election shall be held for a Justice of the Supreme Court in the first judicial district designated in this Constitution at which election every person entitled to vote according to the terms of this Constitution shall be allowed to vote, and the election shall be otherwise conducted, returns made and certificate issued in accordance with existing laws. If, upon canvassing the votes for and against the adoption of this Constitution it shall appear that this Constitution shall not have been adopted, then no certificate of election shall be issued for said Justice.

One member of the court, to be selected by themselves, from among the members either of the first or the second district shall be designated and serve as administrative executive of the Supreme Court, so long as there shall be two members of the court from the second district under this Constitution; and while so designated, such Justice shall be relieved from duty in the consideration of causes pending in said court.

Said justice from the first district, if elected and commissioned shall hold his office until the first Monday of June, nineteen hundred thirty-three.

The successor in office of the justice now in office in the first district under this Constitution shall be elected on the first Monday of June, nineteen hundred twenty-seven, for a term to expire on the first Monday of June, nineteen hundred thirty-seven.

The successor of the justice now in office for the second district under this Constitution shall be elected on the first Monday in June, nineteen hundred thirty-one, to expire on the first Tuesday after the first Monday in November, nineteen hundred forty-one.

The successor of the justice now in office for the third district under this Constitution shall be elected on the first Monday in June, nineteen hundred twenty-seven for a term to expire on the first Tuesday after the first Monday in November, nineteen hundred thirty-nine.

The successors in office of the justices now in office in the fourth and sixth districts under this Constitution shall be elected on the first Monday in June, nineteen hundred twenty-five for terms to expire respectively on the first Tuesday after the first Monday in November, nineteen hundred thirty-five.

The successor in office of the justice now in office in the fifth district under this Constitution, shall be elected on the first Monday in June, nineteen hundred twenty-five, for a term to expire on the first Monday in November, nineteen hundred thirty-seven.

GEORGE A. DUPUY.
PHILIP E. ELTING.

The report of the committee was ordered printed and placed on the General Orders.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. G. A. Dupuy to the chair, and

At the hour of 9:30 o'clock a. m., the Convention went into Committee of the Whole for the consideration of the report of the Committee on Schedule.

At the hour of 1:23 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. G. A. Dupuy, from the Committee of the Whole, having had under consideration the report of the Committee on Schedule, reported that the committee had made progress and recommended that section 25 of the Article on Schedule, of the Constitution of 1870, together with sections 23, 24, 25, 26, 27 and 28, of the report of the Committee on Schedule, be referred to the Committee on Submission and Address, and that the Committee of the Whole be granted leave to sit again.

And the report of the committee was concurred in.

At the hour of 1:25 o'clock p. m., Mr. DeYoung moved that the Convention do now adjourn until Tuesday, June 20, 1922, at 10:00 o'clock a. m.

The motion prevailed.

And the Convention stood adjourned.

TUESDAY, JUNE 20, 1922, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. David Wetzel, of the Second Christian Church, of Bloomington.

The Journal of Wednesday, June 14, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

In accordance with the resolution adopted April 25, the Secretary called the roll of the Convention, which resulted as follows: Present, 61.

Those answering present are: Messrs.

Adams	Dawes	Gray	Lindly	Shuey
Barr	Dietz	Green	Mack	Six
Brandon	Dryer	Hamill	Miller	Sutherland
Brenholt	Dunlap	Hogan	Mills	Taff
Carlstrom	Dupuy, G. A.	Hull	Moore	Tebbens
Catron	Elting	Jack	Nichols	Todd
Chew	Fifer	Jarman	Pinnell	Torrance
Clarke	Ganschow	Johnson, L. C.	Potts	Warren
Coolley	Garrett	Johnson, W. A.	Rinaker	Whitman
Corlett	Gee	Kerrick	Rosenberg	Wilson
Cruden	Gilbert	Kunde	Scanlan	Wolff
Cutting	Goodyear	Lill	Shanahan	Mr. President
Davis				Present—61.

On account of sickness Mr. Gale was excused from attendance at the sessions of the Convention this week.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. G. A. Dupuy to the chair.

And at the hour of 10:40 o'clock a. m.. the Convention went into Committee of the Whole for the further consideration of the report of the Committee on Schedule.

At the hour of 11:43 o'clock a. m. the Convention resumed its session.

The President presiding.

Mr. G. A. Dupuy, from the Committee of the Whole, having had under consideration the report of the Committee on Schedule, reported that the committee had made progress, and recommended that Amendment No. 6, as follows:

"Section 25 of the Judicial Article (VI) shall not prevent the appointment of sitting judges of the Appellate Court to serve in courts outside the districts in which such judges reside."

Be referred to the Committee on Judicial Department and that the Committee of the Whole be granted leave to sit again.

And the report of the committee was concurred in.

The Convention proceeding upon the consideration of the report of the Committee on Phraseology and Style, on the subject of Future Amendment of the Constitution, section 1 thereof, having heretofore been read at large on June 14 and consideration postponed, was again taken up.

Whereupon Mr. Whitman offered the following amendment and moved its adoption:

AMENDMENT NO. 2.

Amend section 1 of the report of the Committee on Phraseology and Style, on the subject of Future Amendment of the Constitution, by striking out in line six everything after the word "consist" to the end of the sentence, and inserting in lieu thereof the following: "of one delegate to be elected from each Senatorial District and one delegate from each district to be composed of three continguous representative districts as shall be prescribed by the law providing for the convention."

Pending discussion Mr. Fifer moved that further consideration of section 1, together with the pending amendment, be postponed.

The question being on the motion to postpone a division of the Convention was had, resulting as follows: Yeas, 33; nays, 13.

And the motion prevailed.

At the hour of 12:00 o'clock, noon, Mr. Hamill moved that the Convention do now take a recess until 2:00 o'clock p. m.

And the motion prevailed.

2:00 O'CLOCK P. M.

The hour of 2:00 o'clock p. m., having arrived, the Convention resumed its session.

The Presiding presiding.

At the hour of 2:05 o'clock p. m., Mr. Green moved that the Convention do now adjourn until 9:00 o'clock a. m., tomorrow.

The motion prevailed.

And the Convention stood adjourned.

WEDNESDAY, JUNE 21, 1922, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. David Wetzel, of the Second Christian Church, of Bloomington.

The Journal of Thursday, June 15, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up, and no corrections appearing, was ordered to stand approved.

In accordance with the resolution adopted April 25, the Secretary called the roll of the Convention, which resulted as follows: Present, 78.

Those answering present are: Messrs.

Adams	Dietz	Hollenbeck	Mills	Sneed
Barr	Dryer	Hull	Moore	Sutherland
Brandon	Dunlap	Iarussi	Nichols	Taff
Brenholt	Dupee, E. H.	Jack	O'Brien	Tebbens
Cary, C. D.	Dupuy, G. A.	Jarman	Paddock	Todd
Carlstrom	Elting	Johnson, L. C.	Pincus	Torrance
Catron	Fifer	Johnson, W. A.	Pinnell	Traeger
Chew	Ganschow	Kerrick	Potts	Trautmann
Clarke	Garrett	Kunde	Rinaker	Wall
Coolley	Gee	Latchford	Rosenberg	Warren
Corlett	Gilbert	Lill	Scanlan	Whitman
Cruden	Goodyear	Lindly	Shanahan	Wilson
Cutting	Gray	Mack	Shuey	Wolff
Davis	Green	Meinert	Six	Woodward
Dawes	Hamill	Michal	Smith	Mr. President
De Young	Hogan	Miller		Present—78.

The Convention proceeding upon the consideration of the report of the Committee on Phraseology and Style, on the subject of Future Amendment of the Constitution, section 1 thereof, together with the pending amendment offered by Mr. Whitman on yesterday, was again taken up.

The question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 28; nays, 46.

And the amendment was lost.

Mr. Barr offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend section 1 by striking out the period after the word "district" in the eighth line and adding the following: "and seven members to be elected at large from the County of Cook."

The question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 50; nays, 23.

And the amendment was adopted.

The question then being on the adoption of section 1, as amended, a call of the roll was had, resulting as follows: Yeas, 54; nays, 23.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Gray	Mack	Smith
Barr	Davis	Green	Meinert	Sutherland
Brandon	Dietz	Hogan	Mills	Taff
Brenholt	Dryer	Hollenbeck	Moore	Todd
Cary, C. D.	Dunlap	Jack	Nichols	Torrance
Carlstrom	Elting	Jarman	Paddock	Trautmann
Catron	Fifer	Johnson, L. C.	Pinnell	Wall
Chew	Garrett	Johnson, W. A.	Rinaker	Warren
Clarke	Gee	Kerrick	Scanlan	Whitman
Coolley	Gilbert	Lill	Shuey	Mr. President
Corlett	Goodyear	Lindly	Six	

Yeas—54.

Those voting in the negative are: Messrs.

Cruden	Ganschow	Latchford	Potts	Traeger
Dawes	Hamill	Michal	Rosenberg	Wilson
De Young	Hull	Miller	Shanahan	Wolff
Dupee, E. H.	Iarussi	O'Brien	Tebbens	Woodward
Dupuy, G. A.	Kunde	Pincus		

Nays—23.

Section 1, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style, for action as provided by Rule 20.

Mr. Fifer moved to reconsider the vote by which section 1 was adopted.

Mr. LINDLY moved to lay that motion on the table.

And the question being on the motion to table, it was decided in the affirmative.

Mr. Jarman moved to suspend the rules for the purpose of reconsidering the vote by which section 8, of the Legislative Article, was heretofore adopted on May 4.

The question being on the motion to suspend the rules, a division of the Convention was had, resulting as follows: Yeas, 38; nays, 44.

And the motion was lost.

The Convention proceeding upon the consideration of Report No. 8, of the Committee on Phraseology and Style, on the subject of Chicago and Cook County, section 16a, having heretofore been read at large and consideration postponed, was again taken up.

Whereupon, Mr. Hamill offered the following as a substitute for section 16a, and moved its adoption:

Amend section 16a, by substituting therefor the following:

Section 16a. The City of Chicago may issue bonds (in addition to any debt otherwise permittde by this Constitution) for the purpose of acquiring or constructing subways, if before the issuance of such bonds the city shall have entered into a contract with a responsible lessee of such subways for such period of time and upon such terms that the rent paid shall defray the interest and discharge the principal of such bonds within the period of such contract.

To the lessee of such subways the city may grant a license to use streets for transportation of passengers during the term of the lessee's contract rights in the subways. No such bonds shall be issued unless the proposition therefor is approved at an election by a majority of those voting on the question.

Pending discussion, Mr. Michal offered the following as a substitute for the substitute, which the Chair ruled was not in order:

"The City of Chicago, by and through its City Council, shall have plenary right, power and authority to grant franchises or enter into contract ordinances with persons, firms or corporations for the purpose of

supplying and furnishing transportation, heat, light, power or communication by wire or otherwise; such franchises or contract ordinances shall be for a period not to exceed 40 years."

The question then being on the adoption of the substitute offered by Mr. Hamill, a division of the Convention was had, resulting as follows: Yeas, 13; nays, 46.

And the substitute was lost.

Mr. Miller offered the following amendments and moved their adoption:

AMENDMENT No. 24.

Amend section 16a, by adding thereto the following:

"Publicly owned income producing property used for transportation shall be taxed in the same manner as privately owned property used for like purpose."

And the amendment was adopted.

AMENDMENT No. 25.

Amend section 16a, by inserting after the word "including" in the third paragraph thereof the words "taxes assessments."

And the amendment was adopted.

The question then being on the adoption of section 16a, as amended, a call of the roll was had, resulting as follows: Yeas, 66; nays, 10.

Those voting in the affirmative are: Messrs.

Adams	Dietz	Hull	Miller	Six
Barr	Dryer	Iarussi	Mills	Smith
Brandon	Dunlap	Jack	Moore	Sutherland
Brenholt	Dupee, E. H.	Jarman	Nichols	Taff
Cary, C. D.	Elting	Johnson, L. C.	O'Brien	Tebbens
Carlstrom	Ganschow	Johnson, W. A.	Paddock	Torrance
Catron	Garrett	Kerrick	Pincus	Traeger
Chew	Gee	Kunde	Pinnell	Trautmann
Clarke	Gilbert	Latchford	Potts	Wall
Coolley	Goodyear	Lill	Rinaker	Warren
Cruden	Gray	Lindly	Rosenberg	Whitman
Davis	Green	Mack	Scanlan	Wolff
Dawes	Hogan	Meinert	Shuey	Mr. President
De Young				

Yeas—66.

Those voting in the negative are: Messrs.

Corlett	Dupuy, G. A.	Hamill	Michal	Wilson
Cutting	Fifer	Hollenbeck	Todd	Woodward

Nays—10.

Answering present but not voting: Mr. Shanahan

Total—1.

Section 16a, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style, for action as provided by Rule 20.

Mr. Hull moved to reconsider the vote by which section 16a was adopted.

Mr. Lindly moved to lay that motion on the table.

And the question being on the motion to table, it was decided in the affirmative.

Section 17a was again taken up.

Whereupon Mr. Miller offered the following amendment and moved its adoption:

AMENDMENT No. 26.

Amend section 17a by adding thereto the following paragraph:

"The City of Chicago having constructed or acquired any subway or other property for transportation purposes may let the same to an operating company but only for such period of time, indeterminate or otherwise, as shall be approved by a majority of the voters of said city voting on the question.

Pending discussion, at the hour of 1:20 o'clock p. m., Mr. Green moved that the Convention do now take a recess until 2:15 o'clock p. m.

And the motion prevailed.

2:15 O'CLOCK P. M.

The hour of 2:15 o'clock p. m. having arrived, the Convention resumed its session.

The President presiding.

The pending question at the hour of taking a recess being the consideration of Amendment No. 26, to section 17a, of Report No. 8, the same was again taken up.

Whereupon Mr. O'Brien offered the following amendment to Amendment No. 26, and moved its adoption:

AMENDMENT No. 1 TO AMENDMENT No. 26.

Amend Amendment No. 26 by striking out after the word "time" in line 4 the words "indeterminate or otherwise."

The question being on the adoption of the amendment to the amendment, a division of the Convention was had, resulting as follows: Yeas, 24; nays, 16.

And the amendment to the amendment was adopted.

The question then being on the adoption of Amendment No. 26, as amended, it was decided in the affirmative.

Mr. Miller offered the following amendment and moved its adoption:

AMENDMENT No. 27.

Amend section 17a, by adding at the end thereof the following:

"Publicly owned income producing property of the City of Chicago or of any local government or authority exercising powers within the limits of the city used for transportation shall be taxed in the same manner as privately owned property used for like purpose, notwithstanding any other provision in this Constitution."

And the amendment was adopted.

The question then being on the adoption of section 17a. as amended, a call of the roll was had, resulting as follows: Yeas, 67; nays, 4.

Those voting in the affirmative are: Messrs.

Adams	Dietz	Hollenbeck	Miller	Sutherland
Barr	Dryer	Hull	Mills	Taff
Brandon	Dunlap	Iarussi	Moore	Tebbens
Brenholt	Dupee, E. H.	Jack	Nichols	Torrance
Carlstrom	Dupuy, G. A.	Jarman	O'Brien	Traeger
Catron	Elting	Johnson, L. C.	Paddock	Trautmann
Chew	Ganschow	Kerrick	Pincus	Wall
Clarke	Garrett	Kunde	Pinnell	Warren
Coolley	Gilbert	Latchford	Rosenberg	Whitman
Cruden	Goodyear	Lill	Shuey	Wilson
Cutting	Gray	Lindly	Six	Wolff
Davis	Green	Mack	Smith	Woodward
Dawes	Hamill	Meinert	Sneed	Mr. President
De Young	Hogan			Yeas—67.

Those voting in the negative are: Messrs.

Corlett	Fifer	Michal	Todd	Nays—4.

Answering present but not voting: Mr.

Shanahan Total—1.

Section 17a, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Mr. Miller offered the following as a new section to be known as section 17b, and moved its adoption:

Amend Report No. 8 of the Committee on Phraseology and Style on the Subject of Chicago and Cook County by adding thereto after section 17a, the following section:

"Section 17b. The City of Chicago may also license the use of its streets for street railroad or other transportation purposes, but only upon such terms and for such period of time as shall be approved by a majority of the voters of said city voting on the question."

The question then being on the adoption of section 17b, a call of the roll was had, resulting as follows: Yeas, 12; nays, 54.

Those voting in the affirmative are: Messrs.

Corlett	Dawes	Hamill	Pincus	Wall
Cutting	De Young	Miller	Torrance	Wilson
Davis	Gilbert			Yeas—12.

Those voting in the negative are: Messrs.

Adams	Dupuy, G. A.	Johnson, L. C.	Moore	Taff
Barr	Elting	Johnson, W. A.	Nichols	Tebbens
Brandon	Ganschow	Kerrick	O'Brien	Todd
Brenholt	Garrett	Kunde	Paddock	Traeger
Cary, C. D.	Goodyear	Latchford	Pinnell	Trautmann
Carlstrom	Gray	Lill	Potts	Warren
Catron	Green	Lindly	Scanlan	Whitman
Coolley	Hull	Mack	Shuey	Wolff
Cruden	Iarussi	Meinert	Six	Woodward
Dietz	Jack	Michal	Smith	Mr. President
Dupee, E. H.	Jarman	Mills	Sutherland	Nays—54.

Answering present but not voting: Messrs.

Hollenbeck Shanahan Total—2.

Section 17b, having failed to receive the votes of a majority of the Delegates elected, was declared lost.

Mr. Hull moved to reconsider the vote by which section 17a was adopted.

Mr. Lindly moved to lay that motion on the table.

And the question being on the motion to table it was decided in the affirmative.

Mr. Hull moved to reconsider the vote by which section 17b was lost.

Mr. Lindly moved to lay that motion on the table.

And the question being on the motion to table, it was decided in the affirmative.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. G. A. Dupuy to the chair.

And at the hour of 3:40 o'clock p. m., the Convention went into Committee of the Whole for the further consideration of the report of the Committee on Schedule.

At the hour of 4:20 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. G. A. Dupuy, from the Committee of the Whole, having had under consideration the report of the Committee on Schedule, reported that the committee had made progress and asked leave to sit again.

And the report of the committee was concurred in.

Mr. Hamill moved to suspend the rules for the purpose of reconsidering the vote by which section 6, of the Article on Suffrage and Elections was heretofore adopted on April 26.

The question being on the motion to suspend the rules, a division of the Convention was had, resulting as follows: Yeas, 28; nays, 39.

And the motion was lost.

Mr. Davis moved to suspend the rules for the purpose of reconsidering the vote by which section 6, of the Article on Suffrage and Elections was heretofore adopted on April 26, for the purpose of offering one amendment.

The question being on the motion to suspend the rules, a division of the Convention was had, resulting as follows: Yeas, 54; nays, 16.

And the motion prevailed.

Mr. Davis thereupon moved to reconsider the vote by which section 6, of the Article on Suffrage and Elections was adopted on April 26.

And the motion prevailed.

Whereupon Mr. Davis offered the following amendment and moved its adoption:

Amendment No. 4.

Amend section 6 of the Article on Suffrage and Elections by adding after the word and figure "Section 6" the following: "Except in the County of Cook, any subdivisions thereof or municipal corporations therein."

And the amendment was adopted.

The question then being on the adoption of section 6, as amended, a call of the roll was had, resulting as follows: Yeas, 66; nays, 7.

Those voting in the affirmative are: Messrs.

Adams	Elting	Jarman	Moore	Sneed
Brandon	Fifer	Johnson, L. C.	Nichols	Sutherland
Brenholt	Ganschow	Johnson, W. A.	O'Brien	Tebbens
Cary, C. D.	Garrett	Kerrick	Paddock	Torrance
Carlstrom	Goodyear	Kunde	Pincus	Traeger
Chew	Gray	Latchford	Pinnell	Trautmann
Clarke	Green	Lill	Potts	Wall
Cruden	Hamill	Lindly	Rosenberg	Warren
Cutting	Hogan	Mack	Scanlan	Whitman
Davis	Hollenbeck	Meinert	Shanahan	Wilson
Dawes	Hull	Michal	Shuey	Wolff
De Young	Iarussi	Miller	Six	Woodward
Dietz	Jack	Mills	Smith	Mr. President
Dunlap				Yeas—66.

Those voting in the negative are: Messrs.

Barr	Dupee, E. H.	Rinaker	Taff	Todd
Corlett	Dupuy, G. A.			Nays—7.

Section 6, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Mr. Carlstrom called up his motion of March 7, to reconsider the vote by which section 10, of Report No. 11, of the Committee on Phraseology and Style, had failed to pass.

Mr. Fifer moved to lay that motion on the table.

The question being on the motion to table, a division of the Convention was had, resulting as follows: Yeas, 31; nays, 38.

And the motion to table was lost.

The question recurring on the motion to reconsider, it was decided in the affirmative.

And section 10 was again taken up.

Whereupon Mr. Carlstrom offered the following as a substitute for the first paragraph of section 10 and moved its adoption:

Amend section 10 by substituting for the first paragraph thereof the following:

"Cities under 500,000 population may be authorized by law to issue bonds (in addition to any debt otherwise permitted by this Constitution) up to 5 per cent of the full value of the taxable real property therein as ascertained by the last assessment for State and county taxes previous to the issuance of such bonds; but any such bonds may be issued only for acquiring; leasing, constructing or operating income-producing property for supplying light, electric current, water, or either of such services to the municipality and to its inhabitants."

Mr. Green moved to amend the substitute by adding the word "transportation" after the word "light."

And the motion was lost.

Mr. Moore moved to amend the substitute by striking out the words "and to its inhabitants."

Mr. Scanlan moved to lay that motion on the table.

And the question being on the motion to table it was decided in the affirmative.

Mr. Six moved to amend the substitute by striking out the words "electric current and light."

Mr. Scanlan moved to lay that motion on the table.

And the question being on the motion to table, it was decided in the affirmative.

The question then being on the adoption of the substitute, offered by Mr. Carlstrom, a division of the Convention was had, resulting as follows: Yeas, 33; nays, 36.

And the substitute for the first paragraph of section 10 was lost.

Mr. Dunlap moved that section 10, of Report No. 11, of the Committee on Phraseology and Style, be ordered to lie on the table.

And the motion prevailed.

Mr. Sutherland moved that section 11, of Report No. 11, of the Committee on Phraseology and Style, be ordered to lie on the table.

And the motion prevailed.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. G. A. Dupuy to the chair.

And at the hour of 6:20 o'clock p. m., the Convention went into Committee of the Whole for the further consideration of the report of the Committee on Schedule.

At the hour of 6:30 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. G. A. Dupuy, from the Committee of the Whole, having had under consideration the report of the Committee on Schedule, reported the same back together with the following amendments thereto, to-wit:

Amend section 22 by striking out the word "assistant" in the third line and inserting in lieu thereof the word "associate."

Amend the last sentence of section 14 by substituting therefor the following:

"After the expiration of his term of office all such authority and supervision shall devolve upon some elective county officer or officers as provided by law which provision shall be made by the General Assembly by the first day of July, A. D. 1925."

Amend section 6 by adding at the end thereof the following:

"Except as in this Constitution otherwise provided, the term of office of every person holding any office of the State, or of any political subdivision thereof or municipal corporation therein shall expire at the time provided by existing laws. All persons who shall be elected to office at any election occurring prior to November, A. D. 1923, shall hold office during the regular term provided by law and for the additional time until the next ensuing November election."

Amend section 19 by substituting therefor the following:

Section 19. The Clerk of the Circuit Court of Cook County in office on the first Monday of May, A. D. 1923, shall be the clerk of the Circuit Court herein provided, and the clerks of the Superior, Criminal, County and Probate Courts of Cook County and of the Municipal Court of Chicago shall, during the terms for which they were respectively elected, be associate clerks of the Circuit Court of Cook County, exercising as near as may be the same powers, including those relating to the appointment and discharge of employes, and to the collection and disbursement of monies and performing the same duties and receiving the same salaries as on the first Monday of May, A. D. 1923.

In case there shall occur a vacancy in the office of the clerk of the Circuit Court of Cook County at any time prior to the November election in the year A. D. 1924, then and in that case such vacancy shall be filled by appointment by a majority of the judges and associate judges, of the

Circuit Court of one of such associate clerks who shall hold office until the November election in 1924.

Amend the report of the Committee on Scehdule by adding thereto the following new sections:

NOTE: Section to be offered as an additional section in Report of Schedule Committee and if adopted to be transferred to the proper section of the Constitution by the Committee on Phraseology and Style.

(Section 29 Legislative Article Constitution of 1870).

Section 22a. The General Assembly shall pass laws for the protection of operative miners, providing for ventilation and the construction of escapement shafts or other appliances securing safety in mines; and shall provide for the enforcement thereof by such penalties and punishments as it deems proper.

Section 22b. All laws of the State of Illinois and all official writings and the executive, legislative and judicial proceedings shall be conducted, preserved and published in no other than the English language; but the Supreme Court may, by rule, provide for the use in the files and records of judicial proceedings of such abbreviations of words and sentences as the court may deem proper.

Section 18½. Counties having a population of less than seventy-five thousand which have a county judge and a probate judge at the time of the adoption of this Constitution, shall elect in nineteen hundred twenty-seven two county judges.

Section 22c. Each court into which, by the provisions of this Constitution, other courts are consolidated shall immediately upon such consolidation, succeed to and assume jurisdiction of all causes, matters and proceedings then pending in all courts of which it is the successor, with full power and authority to dispose of the same, and to carry into execution or otherwise to give effect to all orders, judgments and decrees theretofore entered by the respective courts thus consolidated.

Section 22d. All judicial circuits established by law at the adoption of this Constitution shall be preserved until changed by law.

Section 10¼. The clerk of the Supreme Court and the clerks of the Appellate Courts holding office at the time this Constitution goes into effect shall hold office until the expiration of the term of office to which they have been elected.

Section 13¼. The judges of the Circuit Court of each circuit, other than the County of Cook, in office at the time of the adoption of this Constitution, shall continue to hold office during the term for which they were elected or appointed and until their successors are elected and shall qualify.

Section 13½. The Circuit Court of each county is hereby continued, and on the first Monday of November, A. D. 1927, the Circuit and City Courts in each county, other than Cook, where both courts exist, shall be consolidated into one court of record to be known as the Circuit Court.

And recommended that the report of the Committee on Schedule, as amended, do pass.

The report of the committee was concurred in and the report of the Committee on Schedule, as amended, was referred to the Committee on Phraseology and Style.

Mr. Scanlan moved to suspend the rules for the purpose of reconsidering the vote by which section 11?, of the Article on Judicial Department, was adopted.

And on that motion a division of the Convention was had, resulting as follows: Yeas, 35; nays, 15.

And the rules were suspended.

Mr. Scanlan thereupon moved to reconsider the vote by which section 112, of the Article on Judicial Department, was adopted.

And the motion prevailed.

Mr. Scanlan moved to amend section 112 by adding at the end thereof the following: "In any county where there are two county judges, or more, they shall determine by lot on the first Monday of January, each year, which one of them shall act as Chief Justice for the ensuing year."

The question being on the adoption of the amendment it was decided in the affirmative.

Pending discussion, Mr. Hamill moved to reconsider the vote by which the amendment to section 112 was adopted.

And the motion prevailed.

Mr. Hamill thereupon moved that the amendment lie on the table.

And the question being on the motion to table, it was decided in the affirmative.

Mr. Hamill moved to reconsider the vote by which the vote on the adoption of section 112 was reconsidered.

And the motion prevailed.

Whereupon Mr. Hamill moved that the motion to reconsider the vote by which section 112 was adopted, lie on the table.

And the motion prevailed.

At the hour of 6:50 o'clock p. m., Mr. Green moved that the Convention do now adjourn until 9:00 o'clock a. m. tomorrow.

The motion prevailed.

And the Convention stood adjourned.

THURSDAY, JUNE 22, 1922, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. David Wetzel, of the Second Christian Church, of Bloomington.

The Journal of Tuesday, June 20, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

In accordance with the resolution adopted April 25, the Secretary call the roll of the Convention, which resulted as follows Present, 75.

Those answering present are: Messrs.

Adams	Davis	Hogan	Michal	Smith
Barr	Dawes	Hollenbeck	Miller	Sneed
Beckman	De Young	Hull	Mills	Sutherland
Brandon	Dietz	Iarussi	Moore	Taff
Brenholt	Dunlap	Jack	Nichols	Tebbens
Brewster	Dupuy, G. A.	Jarman	O'Brien	Todd
Cary, C. D.	Elting	Johnson, L. C.	Paddock	Torrance
Carlstrom	Fifer	Johnson, W. A.	Pincus	Traeger
Catron	Ganschow	Kerrick	Pinnell	Trautmann
Chew	Garrett	Kunde	Rinaker	Wall
Clarke	Gee	Latchford	Rosenberg	Warren
Coolley	Goodyear	Lill	Scanlan	Whitman
Corlett	Gray	Lindly	Shanahan	Wilson
Cruden	Green	Mack	Shuey	Woodward
Cutting	Hamill	Meinert	Six	Mr. President

Present—75.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Sneed to the chair.

And at the hour of 9:30 o'clock a. m., the Convention went into Committee of the Whole for the consideration of the majority and minority reports of the Committee on Industrial Affairs and Labor, submitted December 8, 1920.

At the hour of 9:45 o'clock a. m., the Convention resumed its session.

The President presiding.

Mr. Sneed, from the Committee of the Whole, having had under consideration the majority and minority reports of the Committee on Industrial Affairs and Labor, reported back Proposal No. 232 with the recommendation that it do not pass.

Mr. Miller moved as a substitute for the report of the committee that the Convention non-concur in the report.

Whereupon Mr. Hamill raised the point of order that the motion to non-concur was not in order for the reason that a vote on the report direct accomplished the same purpose.

And the point of order was sustained by the Chair.

The question then being on the adoption of the report of the committee, a call of the roll was ordered.

Pending which, Mr. Miller moved that the report of the Committee of the Whole be recommitted.

Whereupon Mr. Hamill raised the point of order that the motion was out of order for the reason that the roll call on the adoption of the report had already been started.

And the point of order was sustained by the Chair.

The roll having been completed, resulted as follows: Yeas, 30; nays, 36.

Those voting in the affirmative are: Messrs.

Adams	Dupuy, G. A.	Jack	Nichols	Torrance
Beckman	Garrett	Lindly	Paddock	Whitman
Brewster	Goodyear	Mack	Rinaker	Wilson
Chew	Gray	Meinert	Six	Woodward
Clarke	Green	Mills	Taff	Mr. President
Dawes	Hamill	Moore	Todd	
Dietz				

Yeas—30.

Those voting in the negative are: Messrs.

Cary, C. D.	Gilbert	Johnson, W. A.	Pincus	Sneed
Carlstrom	Hogan	Kerrick	Pinnell	Sutherland
Catron	Hollenbeck	Latchford	Potts	Tebbens
Coolley	Hull	Lill	Rosenberg	Traeger
Cutting	Iarussi	Michal	Scanlan	Trautmann
Davis	Jarman	Miller	Shuey	Wall
Dunlap	Johnson, L. C.	O'Brien	Smith	Warren
Fifer				

Nays—36.

Answering present but not voting: Mr. Corlett

Total—1.

And the Convention refused to concur in the recommendation of the Committee of the Whole.

Whereupon Mr. Sneed moved that the report of the Committee of the Whole be recommitted.

And the motion prevailed.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Sneed to the chair, who, in turn, called Mr. Scanlan to the chair.

And at the hour of 10:15 o'clock a. m., the Convention went into Committee of the Whole for the further consideration of the majority and minority reports of the Committee on Industrial Affairs and Labor, submitted December 8, 1920.

At the hour of 12:07 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Sneed, from the Committee of the Whole, having had under consideration the majority and minority reports of the Committee on Industrial Affairs and Labor, submitted December 8, 1920, reported that the Committee had adopted the following amendment in lieu of the majority and minority reports, as follows:

Amend the majority and minority reports by striking out all after the word and figure "Section 1" and inserting in lieu thereof the following:

"No law shall be passed denying the right of workmen to organize into trade and labor unions and to deal and speak through representatives chosen by themselves."

And recommended that the report of the Committee on Industrial Affairs and Labor, as amended, do pass.

The report of the committee was concurred in and the report of the Committee on Industrial Affairs and Labor, as amended, was referred to the Committee on Phraseology and Style.

The Convention proceeding on the order of reports of standing committees.

Mr. Green submitted the following report:

Your Committee on Submission and Address respectfully makes the following report and moves its adoption by the Convention:

We recommend that the following sections be adopted and incorporated as a part of the schedule to the main body of the Constitution:

Section 1. This Constitution shall be submitted to the people of the State of Illinois for adoption or rejection at an election to be held on Tuesday the twelfth day of December in the year nineteen hundred and twenty-two. The county clerks of the respective counties of this State shall give notice between the first and tenth days of November, 1922, in the manner required by law for notices of general elections, that at such election this Constitution will be submitted to the electors of this State for adoption or rejection.

Section 2. Every person entitled to vote under the provisions of existing laws shall be entitled to vote for the adoption or rejection of this Constitution, and such persons shall vote by ballot. Such election shall be conducted and the returns thereof made according to the laws now in force regulating general elections. The polls shall be kept open at such election from the hour of six o'clock in the morning until the hour of seven o'clock in the evening.

Section 3. The officers now required by law, in the case of general elections, to provide proper election supplies for each precinct or district, shall provide, in the manner now required by law for conducting general elections, all necessary poll books, tally sheets, form of return, and ballots for such election.

Section 4. The ballots to be used at such election shall be substantially in the following form:

PROPOSED NEW CONSTITUTION ELECTION BALLOT.

SHALL THE PROPOSED NEW	YES	
CONSTITUTION BE ADOPTED	NO	

Section 5. The elector shall designate his vote by a cross mark thus, X, to be placed in one of the squares on the right hand margin of the ballot. Each ballot cast shall be a vote for or a vote against the adoption of this Constitution, as shall be indicated by the cross mark of the voter on the ballot.

Section 6. The ballots cast for and against this Constitution shall be received and canvassed by the judges and clerks of such election and returned as provided by law for general elections.

Section 7. Within fifteen days after such election, returns thereof shall be made by the several county clerks to the Secretary of State and shall show the aggregate number of votes cast in each county (a) for the adoption of this Constitution, and (b) against the adoption of this Constitution. Such returns shall within ten days thereafter be examined and canvassed by the Attorney General, the Secretary of State, the Auditor of Public Ac-

counts, and the State Treasurer, or any three of them, in the presence of the Governor, and proclamation shall be made by the Governor forthwith of the result of the canvass. If it shall appear that a majority of the votes cast are for the adoption of the new Constitution, the same shall be the supreme law of the State of Illinois on and after the fifteenth day of January, A. D. 1923, and the existing Constitution shall thereupon cease in all its provisions.

Respectfully submitted,

(Signed) HENRY I. GREEN,
MARTIN J. O'BRIEN,
WILLIAM GANSCHOW,
LEWIS A. JARMAN,
DAVID E. SHANAHAN,
RODNEY H. BRANDON,
ARTHUR M. SMITH,
CHARLES H. HAMILL,
ABEL DAVIS,
GEORGE A. BARR,
WM. J. SNEED,
Committee.

The report of the committee was ordered printed and placed on the General Orders.

Mr. Clarke submitted the following report:

REPORT NO. 21.

YOUR COMMITTEE ON PHRASEOLOGY AND STYLE TO WHICH WAS REFERRED A PROPOSAL ENTITLED, THE SCHEDULE AS AMENDED IN COMMITTEE OF THE WHOLE RESPECTFULLY REPORTS THAT IT HAS CONSIDERED SUCH PROPOSAL AND SUBMITS HEREWITH A SUBSTITUTE THEREFOR AS RECOMMENDED BY THIS COMMITTEE.

RESOLVED, *That the following shall become a part of the Schedule of the Constitution of Illinois:*

Section 1. All laws in force at the adoption of this Constitution not inconsistent therewith and all rights, actions, prosecutions, claims and contracts of this State or of individuals or of bodies corporate shall continue to be as valid as if this Constitution had not been adopted.

Section 2. All fiines, taxes, penalties, and forfeitures due this State under the present Constitution and laws shall inure to the people of this State under this Constitution.

Section 3. Recognizances, bonds, obligations and all other instruments entered into before the adoption of this Constitution to the people of this State or to any subdivision thereof or to any municipal corporation or to any public officer shall remain binding and valid. All crimes and misdemeanors shall be tried and punished as if no change had been made in the Constitution of this State.

Section 4. All persons now holding offices or appointments shall continue the exercise of the duties thereof according to their respective commissions or appointments unless otherwise directed by this Constitution or other law.

Section 5. Except as otherwise provided in this Constitution and subject to such changes in their duties as are prescribed therein, all persons elected to office at the election in November nineteen hundred twenty-two shall continue in office during the terms for which they are respectively elected.

(NOTE: If this Constitution is to be submitted after the election in November nineteen hundred twenty-two the foregoing section should be omitted.)

Section 6. In order that elections be held regularly in November, all persons who shall hereafter be elected to any office of the State or of any

subdivision thereof at any election held prior to the November election nineteen hundred twenty-three, shall hold office until the next ensuing November election following the date when the term of such office would otherwise expire.

Except as otherwise provided in this Constitution, every person holding any office of this State or of any subdivision thereof at the time of the adoption of this Constitution and whose term of office shall expire after the November election nineteen hundred twenty-three, shall continue in office until the November election next ensuing the time when such term of office would otherwise regularly expire.

All persons who have been elected or who shall be elected at any election occurring prior to November, nineteen hundred twenty-three, shall hold office during the regular term provided by law and for the additional time until the next ensuing November election.

The foregoing provisions shall not apply to the County of Cook.

Except as in this Constitution otherwise provided, the term of office of every person holding any office of the State or of any subdivision thereof or municipal corporation therein shall expire at the time provided by existing laws.

Section 7. The first apportionment for Senators after the adoption of this Constitution shall provide that three of the additional Senators shall be elected at the first election for terms of two years and the other three additional Senators for terms of four years.

Section 8. The terms of office of the justices of the Supreme Court now in office shall expire at the several dates now provided by law.

(NOTE: This section is duplicated by the first sentence of the third paragraph of the next section.)

Section 9. On the day this Constitution is submitted to the people for ratification an election shall be held for a justice of the Supreme Court in the first judicial district designated by this Constitution. Every person in that judicial district who is entitled to vote for this Constitution shall be entitled to vote for such justice. The election shall otherwise be conducted, returns made and certificate of election issued in accordance with existing laws. If it appears upon the canvassing of the votes for and against this Constitution that this Constitution is not adopted, then no certificate of election shall be issued for such justice. If he is elected and commissioned, such justice shall hold office until the first Monday of June nineteen hundred thirty-three. He shall not enter upon the discharge of his duties until the first Monday of June nineteen hundred twenty-four, unless prior to that time there is a vacancy in the Supreme Court from any district, in which case he shall fill such vacancy until the first Monday of June nineteen hundred twenty-four.

When the term of office of the justice residing in the second district under this Constitution (elected from the sixth district under the Constitution of 1870) expires on the first Monday of June nineteen hundred twenty-four, his office shall cease to exist.

Successors to the justices now in office shall be elected on the first Monday of June in the years in which their respective terms expire. One justice for the first district shall be elected for a term to expire on the first Monday in June nineteen hundred thirty-five; a justice for the fifth district shall be elected for a term to expire on the first Tuesday after the first Monday in November nineteen hundred thirty-five; justices for the fourth and sixth districts shall be elected for terms to expire on the first Tuesday after the first Monday in November nineteen hundred thirty-three; a justice for the third district shall be elected for a term to expire on the first Tuesday after the first Monday in November nineteen hundred thirty-seven; and a justice for the second district shall be elected for a term to expire on the first Tuesday after the first Monday of November nineteen hundred thirty-nine. After the expiration of their terms as fixed in this schedule, the term of each justice shall be ten years from the day of his election. Thereafter the justices from the first district shall be elected on the first Monday of June in the years in which their terms expire and the justices from the second,

third, fourth, fifth and sixth districts shall be elected on the first Tuesday after the first Monday in November in the years in which their terms expire.

Section 10. The clerk of the Supreme Court and the clerks of the Appellate Courts in office at the time of the adoption of this Constitution shall continue to hold office during the terms for which they are respectively elected.

Section 11. Any justice or judge now in office shall be eligible to re-election after the adoption of this Constitution.

Section 12. The judges of the Circuit and Superior Courts of Cook County now serving as judges of the Appellate Court of the first district and it branches, shall become judges of the Appellate Court of the first district under this Constitution to hold office until January first, nineteen hundred twenty-nine. The judges of the Appellate Court of the second district, the Appellate Court of the third district and the Appellate Court of the fourth district under this Constitution shall be appointed by the Supreme Court as soon as may be after the adoption of this Constitution to hold office until January first, nineteen hundred twenty-nine.

Section 13. Until otherwise provided by law judges of the Appellate Court of the first district shall each receive the same salary as is paid a judge of the Circuit Court of Cook County and judges of the Appellate Courts of the second, third and fourth districts shall each receive a salary of eight thousand five hundred dollars per annum. Such salaries shall be payable in the same manner, at the same time and from the same sources as the salaries of judges of the Circuit Courts within such districts respectively.

Section 14. On the seventh day of May nineteen hundred twenty-three the Circuit, Superior, Criminal, County and Probate Courts of Cook County, the Municipal Court of Chicago and the City Court of Chicago Heights shall be consolidated into one court of record to be known as the Circuit Court of Cook County and thereupon all such courts except that last mentioned shall be abolished. The offices of judge and clerk of the City Court of Chicago Heights shall thereupon be abolished.

Section 15. The judges of the Circuit, Superior, County and Probate Courts of Cook County in office on the seventh day of May nineteen hundred twenty-three (except the judges of the Circuit and Superior Courts of Cook County made judges of the Appellate Court of the first district by the adoption of this Constitution whose offices as judges of the Circuit and Superior Courts of Cook County thereby cease to exist) shall be judges of the Circuit Court of Cook County as thus consolidated and shall continue to hold office during the terms for which they are respectively elected or appointed and until their successors are elected and qualified. The chief justice and associate judges of the Municipal Court of Chicago shall be associate judges of the Circuit Court of Cook County as thus consolidated and shall continue to hold office during the terms for which they are respectively elected or appointed and one year in addition thereto when their respective offices as associate judges of that court shall be abolished.

Section 16. Such associate judges of the Circuit Court of Cook County shall perform such judicial duties as may be assigned to them in the classes of cases which would have been within the jurisdiction of the Criminal Court of Cook County at the time of the adoption of this Constitution and also in the classes of cases arising in the County of Cook which would have been within the jurisdiction of the Municipal Court of Chicago if they had arisen in the City of Chicago prior to the adoption of this Constitution. During their respective terms of office as such associate judges they shall receive the salaries allowed them by the laws in force on the first day of May nineteen hundred and one-half out of the treasury of the County of Cook.

Section 17. The judges of the Circuit Courts in each circuit (other than the County of Cook) in office at the time of the adoption of this Constitution shall continue to hold office during the terms for which they are elected or apopinted and until their successors are elected and qualified.

Section 18. The judge of the County Court of Cook County in office at the time of the adoption of this Constitution shall continue to exercise during his term of office or until otherwise provided by law the same control and supervision over all matters of election as now provided by law. The General Assembly prior to July first nineteen hundred twenty-five shall provide that all such authority and supervision shall devolve upon some elective county officer or officers.

Section 19. On the third day of December, nineteen hundred twenty-three, the County and Probate Courts in each county (other than the County of Cook) where both exist shall be consolidated into one court to be known as the County Court.

Section 20. The judges of the County and Probate Courts (in counties other than the County of Cook) in office on the third day of December, nineteen hundred twenty-three, shall be judges of the County Court as thus consolidated. They shall hold office during the terms for which they were elected and until their successors are elected and qualified, at which time the office of judge of the Probate Court or probate judge shall be abolished.

Counties having a population of less than seventy-five thousand, which have a county judge and a probate judge at the time of the adoption of this Constituion, shall elect in nineteen hundred twenty-seven two county judges.

Section 21. Unless the General Assembly prior to the third day of December, nineteen hundred twenty-three, fixes the salaries of county judges and probate judges (other than those of the County of Cook) who are made judges of the County Courts as thus consolidated, the salaries of such judges after the date last mentioned and until otherwise provided by law shall be as follows: The present salary of each judge shall be increased by the addition of fifty per cent; with a minimum salary of two thousand five hundred dollars in counties having a population of fifteen thousand or less, a minimum salary of four thousand dollars in counties having a population of more than fifteen thousand and less than forty thousand and a minimum salary of five thousand dollars in counties having a population of forty thousand or more. Each county shall continue to pay the present salaries until the whole of such salaries becomes payable out of the State treasury as provided in this Constitution. Until that time the increases of salaries provided herein shall be payable monthly out of the State treasury.

Section 22. The provisions of section one hundred twenty-seven of this Constitution so far as they affect the judges of County and Probate Courts (outside the County of Cook) shall not become effective until the third day of December, nineteen hundred twenty-three, unless the General Assembly provides that increased salaries be paid prior to that date.

Section 23. The clerk of the Circuit Court of Cook County in office on the seventh day of May, nineteen hundred twenty-three, shall be clerk of that court as consolidated by this schedule. The clerks of the Superior, Criminal, County and Probate Courts of Cook County and the clerk of the Municipal Court of Chicago, on that date shall become associate clerks of the Circuit Court of Cook County to hold office for the terms for which they are respectively elected; and as near as may be they shall exercise the same powers (including those relating to the appointment and discharge of employees and to the collection and disbursement of monies), perform the same duties and receive the same salaries as on the seventh day of May, nineteen hundred twenty-three. If a vacancy occurs in the office of clerk of the Circuit Court of Cook County prior to the election in November, nineteen hundred twenty-four, such vacancy shall be filled by a majority of the judges and associate judges of the Circuit Court of Cook County by appointing one of such associate clerks who shall hold office until the election in November, nineteen hundred twenty-four.

Section 24. The Circuit Court of each county is hereby continued and on the first Monday of November, nineteen hundred twenty-seven, the Circuit and City Courts in each county (other than the County of Cook) where both courts exist, shall be consolidated into one court to be known as the Circuit Court and thereupon the offices of judge and clerk of all such city courts shall be abolished.

Section 25. The offices of justice of the peace and constable existing at the time of the adoption of this Constitution shall be abolished from and after the election or appointment and qualification of justices of the peace or constables in their respective districts, towns or portions of towns in accordance with the provisions of this Constitution.

Section 26. The clerk of the County Court of each county (other than the County of Cook) in office on the third day of December, nineteen hundred twenty-three, shall be clerk of the County Court as consolidated by this schedule and the clerk of the Probate Court of each county (other than the County of Cook) having a probate clerk, shall become the chief deputy county clerk of such County Court during the term for which he is elected and at the salary received by him at the time of the adoption of this Constitution. At the expiration of the terms of office of the probate clerks in office on the third day of December, nineteen hundred twenty-three, the office of probate clerk shall be abolished.

Section 27. The bailiff of the Municipal Court of Chicago in office on the seventh day of May, nineteen hundred twenty-three, shall become associate sheriff of the County of Cook and hold office during the term for which he is elected. After the date last mentioned and during his term he shall have as near as may be the same powers, duties and responsibilities as before that date, including the selection, appointment and removal of his employees.

Section 28. (Sections 22b as adopted on first reading.) All laws of the State of Illinois and all official writings and executive, legislative and judicial proceedings shall be conducted, preserved and published in no other than the English language. The Supreme Court may by rule provide for the use in the files and records of judicial proceedings of such abbreviations of words and sentences as the court may deem proper.

Section 29. (Section 22c as adopted on first reading.) Each court into which by the provisions of this Constitution other courts are consolidated shall immediately upon such consolidation succeed to and assume jurisdiction of all causes, matters and proceedings then pending in all courts of which it is the successor, with full power and authority to dispose of them and to carry into execution or otherwise to give effect to all orders, judgments and decrees theretofore entered by the respective courts thus consolidated.

Section 30. (Section 22d as adopted on first reading.) All judicial circuits established by law at the adoption of this Constitution shall be preserved until changed by law.

Section 31. (Section 22½ as adopted on first reading which will be section 57 of the Constitution if the section is adopted.) The General Assembly shall pass laws providing for the protection of operative miners, for ventilation and for the construction of escapement shafts or other appliances securing safety in mines and shall prescribe such penalties and punishments for the enforcement thereof as it deems proper.

Respectfully submitted,

ELAM L. CLARKE,
THOS. RINAKER,
C. B. T. MOORE,
GEORGE A. BARR,
E. H. DEEPEE,
H. E. TORRANCE,
Committee.

The report of the committee was ordered printed and the proposal placed on the order of second reading.

The Convention proceeding upon the consideration of Report No. 21, of the Committee on Phraseology and Style, on the subject of Schedule, section 1 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 76; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Hollenbeck	Mills	Sneed
Barr	De Young	Hull	Moore	Sutherland
Beckman	Dietz	Iarussi	Nichols	Taff
Brandon	Dunlap	Jack	O'Brien	Tebbens
Brenholt	Dupuy, G. A.	Jarman	Paddock	Todd
Brewster	Elting	Johnson, L. C.	Pincus	Torrance
Cary, C. D.	Fifer	Johnson, W. A.	Pinnell	Traeger
Carlstrom	Ganschow	Kerrick	Potts	Trautmann
Catron	Garrett	Latchford	Rinaker	Wall
Chew	Gee	Lill	Rosenberg	Warren
Clarke	Gilbert	Lindly	Scanlan	Whitman
Coolley	Goodyear	Mack	Shanahan	Wilson
Corlett	Gray	Meinert	Shuey	Woodward
Cruden	Green	Michal	Six	Mr. President
Cutting	Hamill	Miller	Smith	Yeas—76.
Davis	Hogan			Nays—0.

Section 1, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 2 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 76; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Hollenbeck	Mills	Sneed
Barr	De Young	Hull	Moore	Sutherland
Beckman	Dietz	Iarussi	Nichols	Taff
Brandon	Dunlap	Jack	O'Brien	Tebbens
Brenholt	Dupuy, G. A.	Jarman	Paddock	Todd
Brewster	Elting	Johnson, L. C.	Pincus	Torrance
Cary, C. D.	Fifer	Johnson, W. A.	Pinnell	Traeger
Carlstrom	Ganschow	Kerrick	Potts	Trautmann
Catron	Garrett	Latchford	Rinaker	Wall
Chew	Gee	Lill	Rosenberg	Warren
Clarke	Gilbert	Lindly	Scanlan	Whitman
Coolley	Goodyear	Mack	Shanahan	Wilson
Corlett	Gray	Meinert	Shuey	Woodward
Cruden	Green	Michal	Six	Mr. President
Cutting	Hamill	Miller	Smith	Yeas—76.
Davis	Hogan			Nays—0.

Section 2, having received the votes of a majority of the Delegates elected, was declared passed, and. under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 3 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 76; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Hollenbeck	Mills	Sneed
Barr	De Young	Hull	Moore	Sutherland
Beckman	Dietz	Iarussi	Nichols	Taff
Brandon	Dunlap	Jack	O'Brien	Tebbens
Brenholt	Dupuy, G. A.	Jarman	Paddock	Todd
Brewster	Elting	Johnson, L. C.	Pincus	Torrance
Cary, C. D.	Fifer	Johnson, W. A.	Pinnell	Traeger
Carlstrom	Ganschow	Kerrick	Potts	Trautmann
Catron	Garrett	Latchford	Rinaker	Wall
Chew	Gee	Lill	Rosenberg	Warren
Clarke	Gilbert	Lindly	Scanlan	Whitman
Coolley	Goodyear	Mack	Shanahan	Wilson
Corlett	Gray	Meinert	Shuey	Woodward
Cruden	Green	Michal	Six	Mr. President
Cutting	Hamill	Miller	Smith	Yeas—76.
Davis	Hogan			Nays—0.

Section 3, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 4 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 76; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Hollenbeck	Mills	Sneed
Barr	De Young	Hull	Moore	Sutherland
Beckman	Dietz	Iarussi	Nichols	Taff
Brandon	Dunlap	Jack	O'Brien	Tebbens
Brenholt	Dupuy, G. A.	Jarman	Paddock	Todd
Brewster	Elting	Johnson, L. C.	Pincus	Torrance
Cary, C. D.	Fifer	Johnson, W. A.	Pinnell	Traeger
Carlstrom	Ganschow	Kerrick	Potts	Trautmann
Catron	Garrett	Latchford	Rinaker	Wall
Chew	Gee	Lill	Rosenberg	Warren
Clarke	Gilbert	Lindly	Scanlan	Whitman
Coolley	Goodyear	Mack	Shanahan	Wilson
Corlett	Gray	Meinert	Shuey	Woodward
Cruden	Green	Michal	Six	Mr. President
Cutting	Hamill	Miller	Smith	Yeas—76.
Davis	Hogan			Nays—0.

Section 4, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 5 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 76; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Hollenbeck	Mills	Sneed
Barr	De Young	Hull	Moore	Sutherland
Beckman	Dietz	Iarussi	Nichols	Taff
Brandon	Dunlap	Jack	O'Brien	Tebbens
Brenholt	Dupuy, G. A.	Jarman	Paddock	Todd
Brewster	Elting	Johnson, L. C.	Pincus	Torrance
Cary, C. D.	Fifer	Johnson, W. A.	Pinnell	Traeger
Carlstrom	Ganschow	Kerrick	Potts	Trautmann
Catron	Garrett	Latchford	Rinaker	Wall
Chew	Gee	Lill	Rosenberg	Warren
Clarke	Gilbert	Lindly	Scanlan	Whitman
Coolley	Goodyear	Mack	Shanahan	Wilson
Corlett	Gray	Meinert	Shuey	Woodward
Cruden	Green	Michal	Six	Mr. President
Cutting	Hamill	Miller	Smith	Yeas—76.
Davis	Hogan			Nays—0.

Section 5, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 7 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 76; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Hollenbeck	Mills	Sneed
Barr	De Young	Hull	Moore	Sutherland
Beckman	Dietz	Iarussi	Nichols	Taff
Brandon	Dunlap	Jack	O'Brien	Tebbens
Brenholt	Dupuy, G. A.	Jarman	Paddock	Todd
Brewster	Elting	Johnson, L. C.	Pincus	Torrance
Cary, C. D.	Fifer	Johnson, W. A.	Pinnell	Traeger
Carlstrom	Ganschow	Kerrick	Potts	Trautmann
Catron	Garrett	Latchford	Rinaker	Wall
Chew	Gee	Lill	Rosenberg	Warren
Clarke	Gilbert	Lindly	Scanlan	Whitman
Coolley	Goodyear	Mack	Shanahan	Wilson
Corlett	Gray	Meinert	Shuey	Woodward
Cruden	Green	Michal	Six	Mr. President
Cutting	Hamill	Miller	Smith	Yeas—76.
Davis	Hogan			Nays—0.

Section 7, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 8 was taken up and read at large.

Whereupon Mr. Trautmann moved to lay section 8 on the table.

And the question being on the motion to table, it was decided in the affirmative.

Section 9 was taken up and read at large.

Whereupon Mr. Jarman moved to substitute sections 8 and 9 of the minority report of the Committee on Schedule for section 9 of the report of the Committee on Phraseology and Style.

Pending discussion, at the hour of 12:50 o'clock p. m., Mr. G. A. Dupuy moved that the Convention do now take a recess until 2:00 o'clock p. m.

The question being on the motion to take a recess a division of the Convention was had, resulting as follows: Yeas, 28; nays, 28.

The motion was lost.

And the Convention refused to take a recess.

Pending further discussion, at the hour of 1:15 o'clock p. m., Mr. Shanahan moved that the Convention do now take a recess until 2:30 o'clock p. m.

And the motion prevailed.

2:30 o'Clock P. M.

The hour of 2:30 o'clock p. m. having arrived, the Convention resumed its session.

The President presiding.

The pending question at the hour of taking a recess being the consideration of the substitute for section 9, of Report No. 21, of the Committee on Phraseology and Style, the same was again taken up.

The question being on the adoption of the substitute, offered by Mr. Jarman, on demand of five Delegates, a call of the roll was had, resulting as follows: Yeas, 36; nays, 27.

Those voting in the affirmative are: Messrs.

Barr	Dietz	Green	Latchford	Rinaker
Beckman	Dunlap	Hogan	Mack	Scanlan
Brenholt	Dupuy, G. A.	Hollenbeck	Mills	Shuey
Brewster	Elting	Jarman	Moore	Todd
Cary, C. D.	Fifer	Johnson, L. C.	Nichols	Wall
Catron	Gilbert	Johnson, W. A.	Paddock	Warren
Chew	Goodyear	Kerrick	Pinnell	Mr. President
Corlett				Yeas—36.

Those voting in the negative are: Messrs.

Adams	Davis	Jack	Shanahan	Traeger
Carlstrom	Dawes	Lill	Six	Trautmann
Clarke	Garrett	Lindly	Sutherland	Warren
Coolley	Gray	Meinert	Taff	Whitman
Cruden	Hamill	Miller	Torrance	Woodward
Cutting	Hull			Nays—27.

And the substitute for section 9 was adopted.

Mr. Miller offered the following amendment and moved its adoption:

Amendment No. 1.

Amend section 9, as amended, by striking out the words "either the first or" in the second line of the second paragraph.

The question being on the adoption of the amendment, a division of the Convention was had, resulting as follows: Yeas, 37; nays, 8.

And the amendment was adopted.

Mr. Taff offered the following amendment and moved its adoption:

AMENDMENT No. 2.

Amend section 9, as amended, by striking out the first three paragraphs thereof.

And the amendment was lost.

Pending roll call, on motion of Mr. Jarman, further consideration of section 9, as amended, was postponed.

Section 6 was taken up and read at large.

Whereupon Mr. Trautmann offered the following amendment and moved its adoption:

AMENDMENT No. 3.

Amend section 6 by substituting therefor the following:

Section 6. In order that elections may be held regularly in November it is hereby provided as follows:

All officers elected to office prior to the election in November, nineteen hundred twenty-three, whose terms expire before that time shall hold office until their terms expire as now provided by law and at the expiration of their respective terms their successors shall be elected at that time to hold office during regular terms provided by law and until their successors are elected at the next ensuing November election.

All officers elected to office prior to the election in November, nineteen hundred twenty-three, whose terms expire after that date and who were elected at other times than at the November election shall hold office for the terms for which they were elected and until their successors are elected at the next ensuing November election.

This section shall not apply to or within the County of Cook.

And the amendment was adopted.

The question then being on the adoption of section 6, as amended, a call of the roll was had resulting as follows: Yeas, 67; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Green	Meinert	Sutherland
Barr	Davis	Hamill	Miller	Taff
Beckman	Dawes	Hogan	Mills	Todd
Brandon	De Young	Hollenbeck	Moore	Torrance
Brenholt	Dietz	Hull	Nichols	Traeger
Brewster	Dunlap	Jack	Paddock	Trautmann
Cary, C. D.	Dupuy, G. A.	Jarman	Pinnell	Wall
Carlstrom	Elting	Johnson, L. C.	Rinaker	Warren
Catron	Fifer	Johnson, W. A.	Scanlan	Whitman
Chew	Garrett	Kerrick	Shanahan	Wilson
Clarke	Gee	Latchford	Shuey	Woodward
Coolley	Gilbert	Lill	Six	Mr. President
Corlett	Goodyear	Lindly	Sneed	Yeas—67.
Cruden	Gray	Mack		Nays—0.

Section 6, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 10 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 67; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Green	Meinert	Sutherland
Barr	Davis	Hamill	Miller	Taff
Beckman	Dawes	Hogan	Mills	Todd
Brandon	De Young	Hollenbeck	Moore	Torrance
Brenholt	Dietz	Hull	Nichols	Traeger
Brewster	Dunlap	Jack	Paddock	Trautmann
Cary, C. D.	Dupuy, G. A.	Jarman	Pinnell	Wall
Carlstrom	Elting	Johnson, L. C.	Rinaker	Warren
Catron	Fifer	Johnson, W. A.	Scanlan	Whitman
Chew	Garrett	Kerrick	Shanahan	Wilson
Clarke	Gee	Latchford	Shuey	Woodward
Coolley	Gilbert	Lill	Six	Mr. President
Corlett	Goodyear	Lindly	Sneed	Yeas—67.
Cruden	Gray	Mack		Nays—0.

Section 10, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 11 was taken up and read at large.

Whereupon Mr. Jarman moved to lay section 11 on the table.

The question being on the motion to table, it was decided in the affirmative.

And section 11 was ordered to lie on the table.

Section 12 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 67; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Green	Meinert	Sutherland
Barr	Davis	Hamill	Miller	Taff
Beckman	Dawes	Hogan	Mills	Todd
Brandon	De Young	Hollenbeck	Moore	Torrance
Brenholt	Dietz	Hull	Nichols	Traeger
Brewster	Dunlap	Jack	Paddock	Trautmann
Cary, C. D.	Dupuy, G. A.	Jarman	Pinnell	Wall
Carlstrom	Elting	Johnson, L. C.	Rinaker	Warren
Catron	Fifer	Johnson, W. A.	Scanlan	Whitman
Chew	Garrett	Kerrick	Shanahan	Wilson
Clarke	Gee	Latchford	Shuey	Woodward
Coolley	Gilbert	Lill	Six	Mr. President
Corlett	Goodyear	Lindly	Sneed	Yeas—67.
Cruden	Gray	Mack		Nays—0.

Section 12, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 13 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 67; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Green	Meinert	Sutherland
Barr	Davis	Hamill	Miller	Taff
Beckman	Dawes	Hogan	Mills	Todd
Brandon	De Young	Hollenbeck	Moore	Torrance
Brenholt	Dietz	Hull	Nichols	Traeger
Brewster	Dunlap	Jack	Paddock	Trautmann
Cary, C. D.	Dupuy, G. A.	Jarman	Pinnell	Wall
Carlstrom	Elting	Johnson, L. C.	Rinaker	Warren
Catron	Fifer	Johnson, W. A.	Scanlan	Whitman
Chew	Garrett	Kerrick	Shanahan	Wilson
Clarke	Gee	Latchford	Shuey	Woodward
Coolley	Gilbert	Lill	Six	Mr. President
Corlett	Goodyear	Lindly	Sneed	Yeas—67.
Cruden	Gray	Mack		Nays—0.

Section 13, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 14 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 67; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Green	Meinert	Sutherland
Barr	Davis	Hamill	Miller	Taff
Beckman	Dawes	Hogan	Mills	Todd
Brandon	De Young	Hollenbeck	Moore	Torrance
Brenholt	Dietz	Hull	Nichols	Traeger
Brewster	Dunlap	Jack	Paddock	Trautmann
Cary, C. D.	Dupuy, G. A.	Jarman	Pinnell	Wall
Carlstrom	Elting	Johnson, L. C.	Rinaker	Warren
Catron	Fifer	Johnson, W. A.	Scanlan	Whitman
Chew	Garrett	Kerrick	Shanahan	Wilson
Clarke	Gee	Latchford	Shuey	Woodward
Coolley	Gilbert	Lill	Six	Mr. President
Corlett	Goodyear	Lindly	Sneed	Yeas—67.
Cruden	Gray	Mack		Nays—0.

Section 14, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 15 was taken up and read at large.

Whereupon Mr. DeYoung offered the following amendment and moved its adoption:

AMENDMENT No. 4.

Amend section 15 by substituting therefor the following:

Section 15. The judges of the Circuit, Superior, County and Probate Courts of Cook County and the chief justice of the Municipal Court of Chicago in office on the first Monday of May, A. D. 1923, except the judges of the Circuit and Superior Courts of Cook County, by the adoption of this Constitution made judges of the Appellate Court for the First District, whose offices as judges of the Circuit anud Superior Courts of said county thereby cease to exist, shall be the judges of said consolidated court and shall continue to hold office during the terms for which they were respectively elected or appointed, and until their successors are elected and shall qualify. The associate judges of the Municipal Court of Chicago shall be associate judges of said Circuit Court and shall continue to hold office during the terms for which they were respectively elected or appointed as associate judges of the Municipal Court of Chicago and until the first Monday of June next following, respectively, at the expiration of which respective times their offices as associate judges of said Circuit Court shall be abolished.

And the amendment was adopted.

The question then being on the adoption of section 15, as amended, a call of the roll was had, resulting as follows: Yeas, 67; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Green	Meinert	Sutherland
Barr	Davis	Hamill	Miller	Taff
Beckman	Dawes	Hogan	Mills	Todd
Brandon	De Young	Hollenbeck	Moore	Torrance
Brenholt	Dietz	Hull	Nichols	Traeger
Brewster	Dunlap	Jack	Paddock	Trautmann
Cary, C. D.	Dupuy, G. A.	Jarman	Pinnell	Wall
Carlstrom	Elting	Johnson, L. C.	Rinaker	Warren
Catron	Fifer	Johnson, W. A.	Scanlan	Whitman
Chew	Garrett	Kerrick	Shanahan	Wilson
Clarke	Gee	Latchford	Shuey	Woodward
Coolley	Gilbert	Lill	Six	Mr. President
Corlett	Goodyear	Lindly	Sneed	Yeas—67.
Cruden	Gray	Mack		Nays—0.

Section 15, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 16 was taken up and read at large.

Whereupon Mr. Trautmann offered the following amendment and moved its adoption:

AMENDMENT No. 5.

Amend section 16 by adding the following at the end of line 11 of the printed report:

"twenty-two, one-half of which salaries shall be payable out of the State treasury."

And the amendment was adopted.

The question then being on the adoption of section 16, as amended, a call of the roll was had, resulting as follows: Yeas, 67; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Green	Meinert	Sutherland
Barr	Davis	Hamill	Miller	Taff
Beckman	Dawes	Hogan	Mills	Todd
Brandon	De Young	Hollenbeck	Moore	Torrance
Brenholt	Dietz	Hull	Nichols	Traeger
Brewster	Dunlap	Jack	Paddock	Trautmann
Cary, C. D.	Dupuy, G. A.	Jarman	Pinnell	Wall
Carlstrom	Elting	Johnson, L. C.	Rinaker	Warren
Catron	Fifer	Johnson, W. A.	Scanlan	Whitman
Chew	Garrett	Kerrick	Shanahan	Wilson
Clarke	Gee	Latchford	Shuey	Woodward
Coolley	Gilbert	Lill	Six	Mr. President
Corlett	Goodyear	Lindly	Sneed	Yeas—67.
Cruden	Gray	Mack		Nays—0.

Section 16, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 17 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 67; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Green	Meinert	Sutherland
Barr	Davis	Hamill	Miller	Taff
Beckman	Dawes	Hogan	Mills	Todd
Brandon	De Young	Hollenbeck	Moore	Torrance
Brenholt	Dietz	Hull	Nichols	Traeger
Brewster	Dunlap	Jack	Paddock	Trautmann
Cary, C. D.	Dupuy, G. A.	Jarman	Pinnell	Wall
Carlstrom	Elting	Johnson, L. C.	Rinaker	Warren
Catron	Fifer	Johnson, W. A.	Scanlan	Whitman
Chew	Garrett	Kerrick	Shanahan	Wilson
Clarke	Gee	Latchford	Shuey	Woodward
Coolley	Gilbert	Lill	Six	Mr. President
Corlett	Goodyear	Lindly	Sneed	Yeas—67.
Cruden	Gray	Mack		Nays—0.

Section 17, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 18 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 67; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Green	Meinert	Sutherland
Barr	Davis	Hamill	Miller	Taff
Beckman	Dawes	Hogan	Mills	Todd
Brandon	De Young	Hollenbeck	Moore	Torrance
Brenholt	Dietz	Hull	Nichols	Traeger
Brewster	Dunlap	Jack	Paddock	Trautmann
Cary, C. D.	Dupuy, G. A.	Jarman	Pinnell	Wall
Carlstrom	Elting	Johnson, L. C.	Rinaker	Warren
Catron	Fifer	Johnson, W. A.	Scanlan	Whitman
Chew	Garrett	Kerrick	Shanahan	Wilson
Clarke	Gee	Latchford	Shuey	Woodward
Coolley	Gilbert	Lill	Six	Mr. President
Corlett	Goodyear	Lindly	Sneed	Yeas—67.
Cruden	Gray	Mack		Nays—0.

Section 18, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 19 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 67; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Green	Meinert	Sutherland
Barr	Davis	Hamill	Miller	Taff
Beckman	Dawes	Hogan	Mills	Todd
Brandon	De Young	Hollenbeck	Moore	Torrance
Brenholt	Dietz	Hull	Nichols	Traeger
Brewster	Dunlap	Jack	Paddock	Trautmann
Cary, C. D.	Dupuy, G. A.	Jarman	Pinnell	Wall
Carlstrom	Elting	Johnson, L. C.	Rinaker	Warren
Catron	Fifer	Johnson, W. A.	Scanlan	Whitman
Chew	Garrett	Kerrick	Shanahan	Wilson
Clarke	Gee	Latchford	Shuey	Woodward
Coolley	Gilbert	Lill	Six	Mr. President
Corlett	Goodyear	Lindly	Sneed	Yeas—67.
Cruden	Gray	Mack		Nays—0.

Section 19, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 20 was taken up and read at large.

Whereupon Mr. Trautmann offered the following amendment and moved its adoption:

AMENDMENT No. 6.

Amend section 20 by inserting after the word "consolidated" in the 4th line thereof the words: "At which time the office of judge of the Probate Court or probate judge shall be abolished," and by striking out the rest of the sentence after the word "qualified" in the first paragraph.

And the amendment was adopted.

The question then being on the adoption of section 20, as amended, a call of the roll was had, resulting as follows: Yeas, 67; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Green	Meinert	Sutherland
Barr	Davis	Hamill	Miller	Taff
Beckman	Dawes	Hogan	Mills	Todd
Brandon	De Young	Hollenbeck	Moore	Torrance
Brenholt	Dietz	Hull	Nichols	Traeger
Brewster	Dunlap	Jack	Paddock	Trautmann
Cary, C. D.	Dupuy, G. A.	Jarman	Pinnell	Wall
Carlstrom	Elting	Johnson, L. C.	Rinaker	Warren
Catron	Fifer	Johnson, W. A.	Scanlan	Whitman
Chew	Garrett	Kerrick	Shanahan	Wilson
Clarke	Gee	Latchford	Shuey	Woodward
Coolley	Gilbert	Lill	Six	Mr. President
Corlett	Goodyear	Lindly	Sneed	Yeas—67.
Cruden	Gray	Mack		Nays—0.

Section 20, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 21 was taken up and read at large.

Whereupon Mr. Trautmann offered the following amendment and moved its adoption:

AMENDMENT No. 7.

Amend section 21 by adding at the end thereof the following: "The word population in this section means the Federal Census of 1920."

And the amendment was adopted.

The question then being on the adoption of section 21, as amended, a call of the roll was had, resulting as follows: Yeas, 67; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Green	Meinert	Sutherland
Barr	Davis	Hamill	Miller	Taff
Beckman	Dawes	Hogan	Mills	Todd
Brandon	De Young	Hollenbeck	Moore	Torrance
Brenholt	Dietz	Hull	Nichols	Traeger
Brewster	Dunlap	Jack	Paddock	Trautmann
Cary, C. D.	Dupuy, G. A.	Jarman	Pinnell	Wall
Carlstrom	Elting	Johnson, L. C.	Rinaker	Warren
Catron	Fifer	Johnson, W. A.	Scanlan	Whitman
Chew	Garrett	Kerrick	Shanahan	Wilson
Clarke	Gee	Latchford	Shuey	Woodward
Coolley	Gilbert	Lill	Six	Mr. President
Corlett	Goodyear	Lindly	Sneed	Yeas—67.
Cruden	Gray	Mack		Nays—0.

Section 21, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 22 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 67; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Green	Meinert	Sutherland
Barr	Davis	Hamill	Miller	Taff
Beckman	Dawes	Hogan	Mills	Todd
Brandon	De Young	Hollenbeck	Moore	Torrance
Brenholt	Dietz	Hull	Nichols	Traeger
Brewster	Dunlap	Jack	Paddock	Trautmann
Cary, C. D.	Dupuy, G. A.	Jarman	Pinnell	Wall
Carlstrom	Elting	Johnson, L. C.	Rinaker	Warren
Catron	Fifer	Johnson, W. A.	Scanlan	Whitman
Chew	Garrett	Kerrick	Shanahan	Wilson
Clarke	Gee	Latchford	Shuey	Woodward
Coolley	Gilbert	Lill	Six	Mr. President
Corlett	Goodyear	Lindly	Sneed	Yeas—67.
Cruden	Gray	Mack		Nays—0.

Section 22, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 23 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 67; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Green	Meinert	Sutherland
Barr	Davis	Hamill	Miller	Taff
Beckman	Dawes	Hogan	Mills	Todd
Brandon	De Young	Hollenbeck	Moore	Torrance
Brenholt	Dietz	Hull	Nichols	Traeger
Brewster	Dunlap	Jack	Paddock	Trautmann
Cary, C. D.	Dupuy, G. A.	Jarman	Pinnell	Wall
Carlstrom	Elting	Johnson, L. C.	Rinaker	Warren
Catron	Fifer	Johnson, W. A.	Scanlan	Whitman
Chew	Garrett	Kerrick	Shanahan	Wilson
Clarke	Gee	Latchford	Shuey	Woodward
Coolley	Gilbert	Lill	Six	Mr. President
Corlett	Goodyear	Lindly	Sneed	Yeas—67.
Cruden	Gray	Mack		Nays—0.

Section 23, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 24 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 67; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Green	Meinert	Sutherland
Barr	Davis	Hamill	Miller	Taff
Beckman	Dawes	Hogan	Mills	Todd
Brandon	De Young	Hollenbeck	Moore	Torrance
Brenholt	Dietz	Hull	Nichols	Traeger
Brewster	Dunlap	Jack	Paddock	Trautmann
Cary, C. D.	Dupuy, G. A.	Jarman	Pinnell	Wall
Carlstrom	Elting	Johnson, L. C.	Rinaker	Warren
Catron	Fifer	Johnson, W. A.	Scanlan	Whitman
Chew	Garrett	Kerrick	Shanahan	Wilson
Clarke	Gee	Latchford	Shuey	Woodward
Coolley	Gilbert	Lill	Six	Mr. President
Corlett	Goodyear	Lindly	Sneed	Yeas—67.
Cruden	Gray	Mack		Nays—0.

Section 24, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 25 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 67; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Green	Meinert	Sutherland
Barr	Davis	Hamill	Miller	Taff
Beckman	Dawes	Hogan	Mills	Todd
Brandon	De Young	Hollenbeck	Moore	Torrance
Brenholt	Dietz	Hull	Nichols	Traeger
Brewster	Dunlap	Jack	Paddock	Trautmann
Cary, C. D.	Dupuy, G. A.	Jarman	Pinnell	Wall
Carlstrom	Elting	Johnson, L. C.	Rinaker	Warren
Catron	Fifer	Johnson, W. A.	Scanlan	Whitman
Chew	Garrett	Kerrick	Shanahan	Wilson
Clarke	Gee	Latchford	Shuey	Woodward
Coolley	Gilbert	Lill	Six	Mr. President
Corlett	Goodyear	Lindly	Sneed	Yeas—67.
Cruden	Gray	Mack		Nays—0.

Section 25, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 26 was taken up and read at large.

Whereupon Mr. Trautmann offered the following amendment and moved its adoption:

AMENDMENT No. 8.

Amend section 26 by adding the following after the word "Constitution" in line 9 of the printed report:

"And as near as may be they shall perform the same duties, exercise the same powers (including those relating to the appointment and discharge of employees and to the collection and disbursement of monies)."

And the amendment was adopted.

The question then being on the adoption of section 26, as amended, a call of the roll was had, resulting as follows: Yeas, 67; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Green	Meinert	Sutherland
Barr	Davis	Hamill	Miller	Taff
Beckman	Dawes	Hogan	Mills	Todd
Brandon	De Young	Hollenbeck	Moore	Torrance
Brenholt	Dietz	Hull	Nichols	Traeger
Brewster	Dunlap	Jack	Paddock	Trautmann
Cary, C. D.	Dupuy, G. A.	Jarman	Pinnell	Wall
Carlstrom	Elting	Johnson, L. C.	Rinaker	Warren
Catron	Fifer	Johnson, W. A.	Scanlan	Whitman
Chew	Garrett	Kerrick	Shanahan	Wilson
Clarke	Gee	Latchford	Shuey	Woodward
Coolley	Gilbert	Lill	Six	Mr. President
Corlett	Goodyear	Lindly	Sneed	Yeas—67.
Cruden	Gray	Mack		Nays—0.

Section 26, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 27 was taken up and read at large.

Whereupon Mr. Trautmann offered the following amendment and moved its adoption:

AMENDMENT No. 9.

Amend section 27 by adding the following at the end thereof:

"The collection and disbursement of monies, and receive the same salary as prior to the date last mentioned."

And the amendment was adopted.

The question then being on the adoption of section 27, as amended, a call of the roll was had, resulting as follows: Yeas, 67; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Green	Meinert	Sutherland
Barr	Davis	Hamill	Miller	Taff
Beckman	Dawes	Hogan	Mills	Todd
Brandon	De Young	Hollenbeck	Moore	Torrance
Brenholt	Dietz	Hull	Nichols	Traeger
Brewster	Dunlap	Jack	Paddock	Trautmann
Cary, C. D.	Dupuy, G. A.	Jarman	Pinnell	Wall
Carlstrom	Elting	Johnson, L. C.	Rinaker	Warren
Catron	Fifer	Johnson, W. A.	Scanlan	Whitman
Chew	Garrett	Kerrick	Shanahan	Wilson
Clarke	Gee	Latchford	Shuey	Woodward
Coolley	Gilbert	Lill	Six	Mr. President
Corlett	Goodyear	Lindly	Sneed	Yeas—67.
Cruden	Gray	Mack		Nays—0.

Section 27, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Mr. Trautmann offered the following as a new section to be known as section 27½, and moved its adoption:

"Section 27½. The office of judge of the City Court and judge of the Probate Court or probate judge shall be abolished from and after the respective consolidations of City and Probate Courts with other courts as

in this Constitution provided. The offices of justices of the peace and constable existing at the time of the adoption of this Constitution shall, from and after the election or appointment and qualification of justices of the peace and constables in the respective districts, towns or portions of towns, in accordance with the provisions of this article, as to such districts, towns or portions of towns be abolished."

Whereupon Section 27½ was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 67; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Green	Meinert	Sutherland
Barr	Davis	Hamill	Miller	Taff
Beckman	Dawes	Hogan	Mills	Todd
Brandon	De Young	Hollenbeck	Moore	Torrance
Brenholt	Dietz	Hull	Nichols	Traeger
Brewster	Dunlap	Jack	Paddock	Trautmann
Cary, C. D.	Dupuy, G. A.	Jarman	Pinnell	Wall
Carlstrom	Elting	Johnson, L. C.	Rinaker	Warren
Catron	Fifer	Johnson, W. A.	Scanlan	Whitman
Chew	Garrett	Kerrick	Shanahan	Wilson
Clarke	Gee	Latchford	Shuey	Woodward
Coolley	Gilbert	Lill	Six	Mr. President
Corlett	Goodyear	Lindly	Sneed	Yeas—67.
Cruden	Gray	Mack		Nays—0.

Section 27½, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 28 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 67; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Green	Meinert	Sutherland
Barr	Davis	Hamill	Miller	Taff
Beckman	Dawes	Hogan	Mills	Todd
Brandon	De Young	Hollenbeck	Moore	Torrance
Brenholt	Dietz	Hull	Nichols	Traeger
Brewster	Dunlap	Jack	Paddock	Trautmann
Cary, C. D.	Dupuy, G. A.	Jarman	Pinnell	Wall
Carlstrom	Elting	Johnson, L. C.	Rinaker	Warren
Catron	Fifer	Johnson, W. A.	Scanlan	Whitman
Chew	Garrett	Kerrick	Shanahan	Wilson
Clarke	Gee	Latchford	Shuey	Woodward
Coolley	Gilbert	Lill	Six	Mr. President
Corlett	Goodyear	Lindly	Sneed	Yeas—67.
Cruden	Gray	Mack		Nays—0.

Section 28, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

Section 29 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 67; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Green	Meinert	Sutherland
Barr	Davis	Hamill	Miller	Taff
Beckman	Dawes	Hogan	Mills	Todd
Brandon	De Young	Hollenbeck	Moore	Torrance
Brenholt	Dietz	Hull	Nichols	Traeger
Brewster	Dunlap	Jack	Paddock	Trautmann
Cary, C. D.	Dupuy, G. A.	Jarman	Pinnell	Wall
Carlstrom	Elting	Johnson, L. C.	Rinaker	Warren
Catron	Fifer	Johnson, W. A.	Scanlan	Whitman
Chew	Garrett	Kerrick	Shanahan	Wilson
Clarke	Gee	Latchford	Shuey	Woodward
Coolley	Gilbert	Lill	Six	Mr. President
Corlett	Goodyear	Lindly	Sneed	Yeas—67.
Cruden	Gray	Mack		Nays—0.

Section 29, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 30 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 67; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Green	Meinert	Sutherland
Barr	Davis	Hamill	Miller	Taff
Beckman	Dawes	Hogan	Mills	Todd
Brandon	De Young	Hollenbeck	Moore	Torrance
Brenholt	Dietz	Hull	Nichols	Traeger
Brewster	Dunlap	Jack	Paddock	Trautmann
Cary, C. D.	Dupuy, G. A.	Jarman	Pinnell	Wall
Carlstrom	Elting	Johnson, L. C.	Rinaker	Warren
Catron	Fifer	Johnson, W. A.	Scanlan	Whitman
Chew	Garrett	Kerrick	Shanahan	Wilson
Clarke	Gee	Latchford	Shuey	Woodward
Coolley	Gilbert	Lill	Six	Mr. President
Corlett	Goodyear	Lindly	Sneed	Yeas—67.
Cruden	Gray	Mack		Nays—0.

Section 30, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 31 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 67; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Green	Meinert	Sutherland
Barr	Davis	Hamill	Miller	Taff
Beckman	Dawes	Hogan	Mills	Todd
Brandon	De Young	Hollenbeck	Moore	Torrance
Brenholt	Dietz	Hull	Nichols	Traeger
Brewster	Dunlap	Jack	Paddock	Trautmann
Cary, C. D.	Dupuy, G. A.	Jarman	Pinnell	Wall
Carlstrom	Elting	Johnson, L. C.	Rinaker	Warren
Catron	Fifer	Johnson, W. A.	Scanlan	Whitman
Chew	Garrett	Kerrick	Shanahan	Wilson
Clarke	Gee	Latchford	Shuey	Woodward
Coolley	Gilbert	Lill	Six	Mr. President
Corlett	Goodyear	Lindly	Sneed	Yeas—67.
Cruden	Gray	Mack		Nays—0.

Section 31, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

The Convention proceeding on the order of reports of standing committees.

Mr. Clarke submitted the following report:

REPORT NO. 22.

YOUR COMMITTEE ON PHRASEOLOGY AND STYLE TO WHICH WAS REFERRED A PROPOSAL FROM THE COMMITTEE ON LABOR RESPECTFULLY REPORTS THAT IT HAS CONSIDERED THAT PROPOSAL AND SUBMITS THE SAME AND RECOMMENDS ITS ADOPTION WITHOUT CHANGE.

RESOLVED, *That the following shall become a part of the Constitution of Illinois:*

Section 1. No law shall be passed denying the right of workmen to organize into trade and labor unions and to deal and speak through representatives chosen by themselves.

Respectfully submitted,

(Signed) ELAM L. CLARKE, *Chairman,*
THOS. RINAKER,
C. B. T. MOORE,
GEORGE A. BARR,
E. H. DUPEE,
H. R. TORRANCE,
E. H. BREWSTER,
Committee.

The report of the committee was ordered printed and the proposal placed on the order of second reading.

The Convention proceeding upon the consideration of Report No. 22, of the Committee on Phraseology and Style, on the subject of labor, section 1 thereof was taken up and read at large.

Whereupon Mr. Hamill offered the following amendment and moved its adoption:

AMENDMENT NO. 1.

Amend section 1 by substituting therefor the following:

"The right of individuals to associate together for lawful purposes and to act and speak through representatives chosen by themselves shall not be abridged or denied."

And the amendment was adopted.

The question then being on the adoption of section 1, as amended, a call of the roll was had, resulting as follows: Yeas, 19; nays, 41.

Those voting in the affirmative are: Messrs.

Catron	Dawes	Fifer	Jack	Six
Chew	Dunlap	Green	Miller	Wilson
Clarke	Dupuy, G. A.	Hamill	Moore	Woodward
Cutting	Elting	Hull		
Davis				Yeas—19.

Those voting in the negative are: Messrs.

Barr	Dietz	Lill	Rinaker	Torrance
Brandon	Garrett	Lindly	Scanlan	Traeger
Brenholt	Goodyear	Mack	Shanahan	Trautmann
Brewster	Gray	Meinert	Shuey	Wall
Cary, C. D.	Hogan	Miller	Sneed	Warren
Carlstrom	Hollenbeck	Nichols	Sutherland	Whitman
Coolley	Jarman	Paddock	Taff	Mr. President
Cruden	Johnson, L. C.	Pinnell	Todd	Nays—41.
De Young	Latchford			

Section 1, having failed to receive the votes of a majority of the Delegates elected, was declared lost.

By unanimous consent the vote by which section 1 has failed to pass was reconsidered.

Whereupon Mr. Hamill moved to reconsider the vote by which Amendment No. 1, offered by him, was adopted.

And the motion prevailed.

Mr. Hamill thereupon withdrew Amendment No. 1.

The question then being on the adoption of section 1, pending roll call, on motion of Mr. Sneed, further consideration of section 1 was postponed.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Green to the chair.

And at the hour of 5:55 o'clock p. m., the Convention went into Committee of the Whole for the consideration of the report of the Committee on Submission and Address.

At the hour of 6:37 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Green, from the Committee of the Whole, having had under consideration the report of the Committee on Submission and Address, reported the same back together with the following amendments thereto, to-wit:

Amend section 2 by striking out the figure "7" in the last line thereof and inserting in lieu thereof the figure "6".

Amend section 7 by striking out the rest of the sentence after the word "show" in line 3, and inserting in lieu thereof the following:

"(a) The aggregate number of electors voting in each county, (b) the aggregate number of votes cast for the adoption of this Constitution, and (c) the aggregate number of votes cast against the adoption of this Constitution."

Amend section 7 by inserting after the word "after" in the third to the last line, the following: "12 o'clock noon of".

Amend section 5 by striking out all of the section after the word "ballot" in the third line.

And recommended that the report of the Committee on Submission and Address, as amended, do pass.

The report of the Committee of the Whole was concurred in and the report of the Committee on Submission and Address, as amended, was referred to the Committee on Phraseology and Style.

Mr. Taff moved to suspend the rules for the purpose of reconsidering the vote by which section 83, of the Article on Executive Department was heretofore adopted.

The question being on the motion to suspend the rules, a division of the Convention was had, resulting as follows: Yeas, 17; nays, 26.

And the motion was lost.

The Convention proceeding on the order of reports of standing committees.

Mr. Clarke submitted the following report:

REPORT NO. 23.

YOUR COMMITTEE ON PHRASEOLOGY AND STYLE TO WHICH WAS REFERRED A PROPOSAL COMING FROM THE COMMITTEE ON SUBMISSION AS PASSED IN COMMITTEE OF THE WHOLE RESPECTFULLY REPORTS THAT IT HAS CONSIDERED SUCH PROPOSAL, REPORTS IT BACK WITHOUT CHANGE AND RECOMMENDS ITS ADOPTION IN THE FOLLOWING FORM:

RESOLVED, *That the following become a part of the Schedule of the Constitution of Illinois:*

Section 1. This Constitution shall be submitted to the people of the State of Illinois for adoption or rejection at an election to be held on Tuesday the twelfth day of December in the year nineteen hundred twenty-two. The county clerks of the respective counties of this State shall give notice between the first and tenth days of November nineteen hundred twenty-two in the manner required by law for notices of general elections that at such election this Constitution will be submitted to the electors of this State for adoption or rejection.

Section 2. Every person entitled to vote under the provisions of existing laws shall be entitled to vote for the adoption or rejection of this Constituion, and such persons shall vote by ballot. Such election shall be conducted and the returns thereof made according to the laws now in force regulating general elections. The polls shall be kept open at such election from the hour of six o'clock in the morning until the hour of seven o'clock in the evening.

Section 3. The officers now required by law, in the case of general elections, to provide proper election supplies for each precinct or district, shall provide in the manner now required by law for conducting general elections, all necessary poll books, tally sheets, form of return and ballots for such election.

Section 4. The ballots to be used at such election shall be substantially in the following form:

PROPOSED NEW CONSTITUTION ELECTION BALLOT.

SHALL THE PROPOSED NEW	YES	
CONSTITUTION BE ADOPTED	NO	

Section 5. The elector shall designate his vote by a cross mark thus, X, to be placed in one of the squares on the right-hand margin of the ballot.

Section 6. The ballots cast for and against this Constitution shall be received and canvassed by the judges and clerks of such election and returned as provided by law for general elections.

Section 7. Within fifteen days after such election, returns thereof shall be made by the several county clerks to the Secretary of State and shall show (a) the aggregate number of electors voting in each county, (b) the aggregate number of votes cast for the adoption of this Constitution and (c) the aggregate number of votes cast against the adoption of this Constitution. Such returns shall within ten days thereafter be examined and canvassed by the Attorney General, the Secretary of State, the Auditor of Public Accounts, and the State Treasurer or any three of them in the presence of the Governor and proclamation shall be made by the Governor forthwith of the result of the canvass. If it shall appear that a majority of the votes cast are for the adoption of the new Constitution, the same shall be the supreme law of the State of Illinois on and after twelve o'clock noon of Monday, the fifteenth

day of January nineteen hundred twenty-three and the existing Constitution shall thereupon cease in all its provisions.

Respectfully submitted,

(Signed) ELAM L. CLARKE, *Chairman.*
THOS. RINAKER.
CHARLES B. T. MOORE.
E. H. DUPEE.
H. E. TORRANCE.
GEORGE A. BARR.
EDWARD H. BREWSTER.

June 22, 1922.

The report of the committee was ordered printed and the proposal placed on the order of second reading.

The Convention proceeding upon the consideration of Report No. 23, of the Committee on Phraseology and Style, on the subject of submission and address, section 1 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 62; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Hogan	Miller	Sutherland
Barr	Dawes	Hollenbeck	Mills	Taff
Brandon	Dietz	Hull	Moore	Todd
Brenholt	Dunlap	Jack	Nichols	Torrance
Brewster	Elting	Jarman	Paddock	Traeger
Cary, C. D.	Fifer	Johnson, L. C.	Pinnell	Trautmann
Carlstrom	Garrett	Johnson, W. A.	Rinaker	Warren
Catron	Gee	Kerrick	Scanlan	Whitman
Chew	Gilbert	Latchford	Shanahan	Wilson
Clarke	Goodyear	Lill	Shuey	Woodward
Coolley	Gray	Lindly	Six	Mr. President
Cruden	Green	Mack	Sneed	Yeas—62.
Cutting	Hamill	Meinert		Nays—0.

Section 1, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 2 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 62; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Hogan	Miller	Sutherland
Barr	Dawes	Hollenbeck	Mills	Taff
Brandon	Dietz	Hull	Moore	Todd
Brenholt	Dunlap	Jack	Nichols	Torrance
Brewster	Elting	Jarman	Paddock	Traeger
Cary, C. D.	Fifer	Johnson, L. C.	Pinnell	Trautmann
Carlstrom	Garrett	Johnson, W. A.	Rinaker	Warren
Catron	Gee	Kerrick	Scanlan	Whitman
Chew	Gilbert	Latchford	Shanahan	Wilson
Clarke	Goodyear	Lill	Shuey	Woodward
Coolley	Gray	Lindly	Six	Mr. President
Cruden	Green	Mack	Sneed	Yeas—62.
Cutting	Hamill	Meinert		Nays—0.

Section 2, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 3 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 62; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Hogan	Miller	Sutherland
Barr	Dawes	Hollenbeck	Mills	Taff
Brandon	Dietz	Hull	Moore	Todd
Brenholt	Dunlap	Jack	Nichols	Torrance
Brewster	Elting	Jarman	Paddock	Traeger
Cary, C. D.	Fifer	Johnson, L. C.	Pinnell	Trautmann
Carlstrom	Garrett	Johnson, W. A.	Rinaker	Warren
Catron	Gee	Kerrick	Scanlan	Whitman
Chew	Gilbert	Latchford	Shanahan	Wilson
Clarke	Goodyear	Lill	Shuey	Woodward
Coolley	Gray	Lindly	Six	Mr. President
Cruden	Green	Mack	Sneed	Yeas—62.
Cutting	Hamill	Meinert		Nays—0.

Section 3, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 4 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 62; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Hogan	Miller	Sutherland
Barr	Dawes	Hollenbeck	Mills	Taff
Brandon	Dietz	Hull	Moore	Todd
Brenholt	Dunlap	Jack	Nichols	Torrance
Brewster	Elting	Jarman	Paddock	Traeger
Cary, C. D.	Fifer	Johnson, L. C.	Pinnell	Trautmann
Carlstrom	Garrett	Johnson, W. A.	Rinaker	Warren
Catron	Gee	Kerrick	Scanlan	Whitman
Chew	Gilbert	Latchford	Shanahan	Wilson
Clarke	Goodyear	Lill	Shuey	Woodward
Coolley	Gray	Lindly	Six	Mr. President
Cruden	Green	Mack	Sneed	Yeas—62.
Cutting	Hamill	Meinert		Nays—0.

Section 4, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 5 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 62; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Hogan	Miller	Sutherland
Barr	Dawes	Hollenbeck	Mills	Taff
Brandon	Dietz	Hull	Moore	Todd
Brenholt	Dunlap	Jack	Nichols	Torrance
Brewster	Elting	Jarman	Paddock	Traeger
Cary, C. D.	Fifer	Johnson, L. C.	Pinnell	Trautmann
Carlstrom	Garrett	Johnson, W. A.	Rinaker	Warren
Catron	Gee	Kerrick	Scanlan	Whitman
Chew	Gilbert	Latchford	Shanahan	Wilson
Clarke	Goodyear	Lill	Shuey	Woodward
Coolley	Gray	Lindly	Six	Mr. President
Cruden	Green	Mack	Sneed	Yeas—62.
Cutting	Hamill	Meinert		Nays—0.

Section 5, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 6 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 62; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Hogan	Miller	Sutherland
Barr	Dawes	Hollenbeck	Mills	Taff
Brandon	Dietz	Hull	Moore	Todd
Brenholt	Dunlap	Jack	Nichols	Torrance
Brewster	Elting	Jarman	Paddock	Traeger
Cary, C. D.	Fifer	Johnson, L. C.	Pinnell	Trautmann
Carlstrom	Garrett	Johnson, W. A.	Rinaker	Warren
Catron	Gee	Kerrick	Scanlan	Whitman
Chew	Gilbert	Latchford	Shanahan	Wilson
Clarke	Goodyear	Lill	Shuey	Woodward
Coolley	Gray	Lindly	Six	Mr. President
Cruden	Green	Mack	Sneed	Yeas—62.
Cutting	Hamill	Meinert		Nays—0.

Section 6, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 7 was taken up and read at large.

And the question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 62; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Hogan	Miller	Sutherland
Barr	Dawes	Hollenbeck	Mills	Taff
Brandon	Dietz	Hull	Moore	Todd
Brenholt	Dunlap	Jack	Nichols	Torrance
Brewster	Elting	Jarman	Paddock	Traeger
Cary, C. D.	Fifer	Johnson, L. C.	Pinnell	Trautmann
Carlstrom	Garrett	Johnson, W. A.	Rinaker	Warren
Catron	Gee	Kerrick	Scanlan	Whitman
Chew	Gilbert	Latchford	Shanahan	Wilson
Clarke	Goodyear	Lill	Shuey	Woodward
Coolley	Gray	Lindly	Six	Mr. President
Cruden	Green	Mack	Sneed	Yeas—62.
Cutting	Hamill	Meinert		Nays—0.

Section 7, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

By unanimous consent, on motion of Mr. DeYoung, the rules were suspended for the purpose of reconsidering the vote by which sections 121, 125 and 127, of the Article on Judicial Department, were adopted.

Section 121 being taken up, Mr. DeYoung offered the following amendment and moved its adoption:

Amend section 121, in the second line thereof, after the word "court" by striking out the words "or by law."

And the amendment was adopted.

The question then being on the adoption of the section, as amended, a call of the roll was had, resulting as follows: Yeas, 61; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Hogan	Meinert	Sutherland
Barr	Dawes	Hollenbeck	Miller	Taff
Brandon	Dietz	Hull	Mills	Todd
Brenholt	Dunlap	Jack	Moore	Torrance
Brewster	Elting	Jarman	Nichols	Traeger
Cary, C. D.	Fifer	Johnson, L. C.	Paddock	Trautmann
Carlstrom	Garrett	Johnson, W. A.	Pinnell	Warren
Catron	Gee	Kerrick	Rinaker	Whitman
Chew	Gilbert	Latchford	Shanahan	Wilson
Clarke	Goodyear	Lill	Shuey	Woodward
Coolley	Gray	Lindly	Six	Mr. President
Cruden	Green	Mack	Sneed	Yeas—61.
Cutting	Hamill			Nays—0.

Section 121, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 125 being taken up, Mr. DeYoung offered the following amendment and moved its adoption:

Amend section 125, in the first line thereof, after the word "department" by striking out the words "shall perform such duties as provided by law. They."

And the amendment was adopted.

The question then being on the adoption of the section, as amended, a call of the roll was had, resulting as follows: Yeas, 61; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Hogan	Meinert	Sutherland
Barr	Dawes	Hollenbeck	Miller	Taff
Brandon	Dietz	Hull	Mills	Todd
Brenholt	Dunlap	Jack	Moore	Torrance
Brewster	Elting	Jarman	Nichols	Traeger
Cary, C. D.	Fifer	Johnson, L. C.	Paddock	Trautmann
Carlstrom	Garrett	Johnson, W. A.	Pinnell	Warren
Catron	Gee	Kerrick	Rinaker	Whitman
Chew	Gilbert	Latchford	Shanahan	Wilson
Clarke	Goodyear	Lill	Shuey	Woodward
Coolley	Gray	Lindly	Six	Mr. President
Cruden	Green	Mack	Sneed	Yeas—61.
Cutting	Hamill			Nays—0.

Section 125, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 127 being taken up, Mr. DeYoung offered the following amendment and moved its adoption:

Amend section 127, in the third line thereof, after the word "salary," by striking out the words "or perform any duties other than judicial."

And the amendment was adopted.

The question then being on the adoption of the section, as amended, a call of the roll was had, resulting as follows: Yeas, 62; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Hogan	Miller	Sutherland
Barr	Dawes	Hollenbeck	Mills	Taff
Brandon	Dietz	Hull	Moore	Todd
Brenholt	Dunlap	Jack	Nichols	Torrance
Brewster	Elting	Jarman	Paddock	Traeger
Cary, C. D.	Fifer	Johnson, L. C.	Pinnell	Trautmann
Carlstrom	Garrett	Johnson, W. A.	Rinaker	Warren
Catron	Gee	Kerrick	Scanlan	Whitman
Chew	Gilbert	Latchford	Shanahan	Wilson
Clarke	Goodyear	Lill	Shuey	Woodward
Coolley	Gray	Lindly	Six	Mr. President
Cruden	Green	Mack	Sneed	Yeas—62.
Cutting	Hamill	Meinert		Nays—0.

Section 127, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

By unanimous consent, on motion of Mr. Hull, the rules were suspended for the purpose of reconsidering the vote by which section 176 of the Article on Counties, was adopted.

Section 176 being taken up, Mr. Hull offered the following amendment and moved its adoption:

Amend section 176 by striking out the second paragraph thereof.

And the amendment was adopted.

The question then being on the adoption of the section, as amended, a call of the roll was had, resulting as follows: Yeas, 62; nays, 0

Those voting in the affirmative are: Messrs.

Adams	Davis	Hogan	Miller	Sutherland
Barr	Dawes	Hollenbeck	Mills	Taff
Brandon	Dietz	Hull	Moore	Todd
Brenholt	Dunlap	Jack	Nichols	Torrance
Brewster	Elting	Jarman	Paddock	Traeger
Cary, C. D.	Fifer	Johnson, L. C.	Pinnell	Trautmann
Carlstrom	Garrett	Johnson, W. A.	Rinaker	Warren
Catron	Gee	Kerrick	Scanlan	Whitman
Chew	Gilbert	Latchford	Shanahan	Wilson
Clarke	Goodyear	Lill	Shuey	Woodward
Coolley	Gray	Lindly	Six	Mr. President
Cruden	Green	Mack	Sneed	
Cutting	Hamill	Meinert		

Yeas—62.
Nays—0.

Section 176, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

By unanimous consent, upon his request, Mr. Brenholt was excused from attendance at the sessions of the Convention next Tuesday.

At the hour of 7:15 o'clock p. m., Mr. Shanahan moved that the Convention do now adjourn until Tuesday, June 27, 1922, at 10:00 o'clock a. m.

The motion prevailed.

And the Convention stood adjourned.

TUESDAY, JUNE 27, 1922, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. W. H. Penhollegon, of the First Presbyterian Church of Decatur.

The Journal of Wednesday, June 21, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

In accordance with the resolution adopted April 25, the Secretary called the roll of the Convention, which resulted as follows: Present, 56.

Those answering present are: Messrs.

Adams	De Young	Hamill	Meinert	Sneed
Adamkiewicz	Dietz	Hogan	Mills	Sutherland
Barr	Dunlap	Hull	Moore	Taff
Carlstrom	Dupuy, G. A.	Ireland	Nichols	Todd
Catron	Elting	Jack	O'Brien	Torrance
Chew	Fifer	Jarman	Parker	Trautmann
Clarke	Garrett	Johnson, L. C.	Pinnell	Wall
Corlett	Gilbert	Johnson, W. A.	Rinaker	Warren
Cruden	Goodyear	Kerrick	Scanlan	Whitman
Cutting	Gray	Lindly	Shanahan	Wilson
Davis	Green	McEwen	Shuey	Mr. President
Dawes				Present—56.

Mr. Jarman called up section 9, as amended, of the report of the Committee on Schedule, further consideration of which was postponed on June 22, and offered the following amendment and moved its adoption:

Amendment No. 1.

Amend section 9 by striking out the figures "1925" in line 8 thereof, and inserting the figures "1927" so that the line shall read as follows: "in the fifth district, in 1927, for election of one justice."

Also by striking out the third paragraph thereof, beginning with the words "one member of the court," and inserting in lieu thereof the following: "During the time there are eight justices of the Supreme Court in office, the concurrence of five shall be necessary for every decision."

Also by striking out the word "twenty-five" in line 3 of paragraph 9, of said section 9, and inserting in lieu thereof the word "twenty-seven."

The question being on the adoption of the amendment, a division of the Convention was had resulting as follows: Yeas, 25; nays, 21.

And the amendment was adopted.

The question then being on the adoption of section 9, as amended.

Mr. Jarman moved that further consideration of section 9 be postponed until 2:30 o'clock p. m.

And the motion prevailed.

At the hour of 12:15 o'clock p. m., Mr. Trautmann moved that the Convention do now take a recess until 2:30 o'clock p. m.

And the motion prevailed.

2:30 o'Clock P. M.

The hour of 2:30 o'clock p. m. having arrived, the Convention resumed its session.

The President presiding.

Mr. Sneed again called up Report No. 22, of the Committee on Phraseology and Style on the subject of labor, consideration of which was postponed on June 22.

And the question being on the adoption of section 1 thereof, a call of the roll was had resulting as follows: Yeas, 18; nays, 36.

Those voting in the affirmative are: Messrs.

Adamkiewicz	Gilbert	Lindly	Parker	Sneed
Chew	Hogan	Meinert	Scanlan	Torrance
Cruden	Jarman	Nichols	Shanahan	Wall
Garrett	Johnson, L. C.	O'Brien		

Yeas—18.

Those voting in the negative are: Messrs.

Adams	De Young	Green	McEwen	Sutherland
Barr	Dietz	Hamill	Mills	Taff
Carlstrom	Dunlap	Hull	Moore	Todd
Catron	Dupuy, G. A.	Ireland	Pinnell	Warren
Clarke	Elting	Jack	Rinaker	Whitman
Corlett	Goodyear	Johnson, W. A.	Shuey	Wilson
Cutting	Gray	Kerrick	Smith	Mr. President
Dawes				

Nays—36.

The section having failed to receive the votes of a majority of the Delegates elected, was declared lost.

Mr. Trautmann asked unanimous consent to suspend the rules for the purpose of making a motion to reconsider the vote by which section 21, of the Article on Schedule, was adopted, for the purpose of offering a specific amendment.

Unanimous consent being granted, Mr. Trautmann moved to reconsider the vote by which section 21, of the Article on Schedule, was heretofore adopted.

And the motion prevailed.

Whereupon Mr. Trautmann offered the following amendment and moved its adoption:

Amendment No. 1.

Amend section 21 of the report of the Committee on Phraseology and Style on the Schedule which is the same as section 20 on the Second Revised Draft of the Constitution. Amend by striking out of lines 7 and 8 the following: "by the addition of fifty per cent; with the minimum salary of" and insert in lieu thereof the word "to." Strike out of line 10 the following: "a minimum salary of" and insert in lieu thereof the word "to." Strike out of line 12 the following: "minimum salary of" and insert in lieu thereof the word "to."

And the amendment was adopted.

The question then being on the adoption of section 21, as amended, a call of the roll was had, resulting as follows: Yeas, 54; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	De Young	Hogan	Mills	Sutherland
Adamkiewicz	Dietz	Hull	Moore	Taff
Barr	Dunlap	Ireland	Nichols	Todd
Carlstrom	Dupuy, G. A.	Jack	O'Brien	Torrance
Catron	Elting	Jarman	Parker	Trautmann
Chew	Garrett	Johnson, L. C.	Pinnell	Wall
Clarke	Gilbert	Johnson, W. A.	Rinaker	Warren
Corlett	Goodyear	Kerrick	Shanahan	Whitman
Cutting	Gray	Lindly	Shuey	Wilson
Davis	Green	McEwen	Smith	Mr. President
Dawes	Hamill	Meinert	Sneed	

Yeas—54.
Nays—0.

Section 21, having received the votes of a majority of the Delegates elected, was declared passed, and under the rules, was re-referred to the Committee on Phraseology and Style, for action, as provided by Rule 20.

By unanimous consent, Mr. Dupuy offered the following as an additional section to the Article on Schedule, to be known as section 32, as follows:

Section 32. From and after the seventh day of May, 1923, and until otherwise provided by law, all matters of fees and costs connected with proceedings in the Circuit Court of Cook County shall be regulated by rules to be adopted by the Supreme Court.

The question being on the adoption of section 32, a call of the roll was had, resulting as follows: Yeas, 52; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Dietz	Hull	Moore	Taff
Adamkiewicz	Dunlap	Ireland	Nichols	Todd
Barr	Dupuy, G. A.	Jack	O'Brien	Torrance
Carlstrom	Elting	Jarman	Parker	Trautmann
Catron	Garrett	Johnson, L. C.	Pinnell	Wall
Chew	Gilbert	Johnson, W. A.	Rinaker	Warren
Clarke	Goodyear	Kerrick	Scanlan	Whitman
Corlett	Gray	Lindly	Shanahan	Wilson
Cutting	Green	McEwen	Shuey	Mr. President
Davis	Hamill	Meinert	Smith	
De Young	Hogan	Mills		

Yeas—52.
Nays—0.

Section 32, having received the votes of a majority of the Delegates elected, was declared passed, and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Section 9, as amended, of the report of the Committee on Schedule, consideration of which was postponed at the hour of taking a recess, was again taken up.

And the question being on the adoption of the section.

Pending roll call, Mr. Jarman moved that further consideration be postponed.

And the motion prevailed.

Mr. Jarman then moved to reconsider the vote by which the Minority Report was substituted for section 9, of the Majority Report, of the Article on Schedule.

And the motion prevailed.

Mr. Jarman, thereupon, by unanimous consent, withdrew his minority report and offered the following amendment in lieu thereof to section 9:

AMENDMENT No. 2.

Amend section 9, by striking out the words "twenty-four" in line four of the second paragraph and inserting the words "twenty-seven."

Also by striking out the word "when" in line 1 of paragraph 3 and by striking out the words "twenty-four" and inserting the words "twenty-seven"

in line 3 of pargraph 3 and striking out the word "expires" in line 3, paragraph 3, and the word "this" in line 4 and inserting the words "shall expire" before the word "on" and inserting the words "at which time" before the words "said office" in line 4.

And the amendment was lost.

The question recurring on the adoption of section 9 of the report of the Committee on Phraseology and Style on the subject of schedule, a call of the roll was had resulting as follows: Yeas, 53; nays, 5.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Hamill	Mills	Sutherland
Adamkiewicz	Dietz	Hogan	Moore	Taff
Barr	Dryer	Hull	Nichols	Todd
Carlstrom	Dunlap	Ireland	O'Brien	Torrance
Catron	Dupuy, G. A.	Jack	Parker	Trautmann
Chew	Elting	Jarman	Pinnell	Wall
Clarke	Fifer	Johnson, L. C.	Rinaker	Warren
Corlett	Gilbert	Johnson, W. A.	Scanlan	Whitman
Cruden	Goodyear	Kerrick	Shuey	Wilson
Cutting	Gray	Lindly	Sneed	Mr. President
Davis	Green	Meinert		Yeas—53.

Those voting in the negative are: Messrs.

De Young	Garrett	McEwen	Shanahan	Smith

Nays—5.

Section 9 having received the votes of a majority of the Delegates elected, was declared passed and, under the rules, was re-referred to the Committee on Phraseology and Style for action, as provided by Rule 20.

Mr. Green moved to reconsider the vote by which section 9 was adopted.

Mr. Whitman moved to lay that motion on the table.

And the question being on the motion to table, it was decided in the affirmative.

Mr. Carlstrom called up section 84 of the Article on Executive Department in the Revised Draft of June 22, and, by unanimous consent, the words "town and school" were stricken from second line of said section.

Mr. Elting asked unanimous consent to call up section 8, of the Article on Bill of Rights, for the purpose of offering a specific amendment.

Unanimous consent being refused, Mr. Elting moved to suspend the rules for that purpose.

The question being on the motion to suspend the rules, a division of the Convention was had, resulting as follows: Yeas, 8; nays, 27.

And the motion was lost.

Mr. Trautmann called up section 11 of the Article on Schedule, in the Revised Draft of June 22, and, by unanimous consent, the words "twenty-nine" in the last line of said section were stricken out and the words "twenty-eight" substituted in lieu thereof.

Mr. Hamill called up section 30 of the Article on Schedule in the Revised Draft of June 22, and by unanimous consent, the last paragraph of said section was stricken out.

By unanimous consent, Mr. Sneed offered the following section on second reading and moved its adoption:

CONVICT LABOR.

Hereafter it shall be unlawful for the commissioners of any penitentiary, or other reformatory institution in the State of Illinois, to let by contract to any person, or persons, or corporation, the labor of any convict confined within said institution.

The question being on the adoption of the section, a call of the roll was had, resulting as follows: Yeas, 52; nays, 2.

Those voting in the affirmative are: Messrs.

Adams	Dietz	Ireland	Moore	Sutherland
Adamkiewicz	Dryer	Jack	Nichols	Taff
Barr	Dunlap	Jarman	O'Brien	Todd
Carlstrom	Dupuy, G. A.	Johnson, L. C.	Parker	Torrance
Catron	Elting	Johnson, W. A.	Pinnell	Trautmann
Chew	Fifer	Kerrick	Scanlan	Wall
Clarke	Garrett	Lindly	Shanahan	Warren
Corlett	Gilbert	McEwen	Shuey	Whitman
Cruden	Gray	Meinert	Smith	Wilson
Cutting	Green	Mills	Sneed	Mr. President
Davis	Hogan			

Yeas—52.

Those voting in the negative are: Messrs.

Goodyear Hamill

Nays—2.

The section on Convict Labor, having received the votes of a majority of the Delegates elected, was declared passed, and under the rules, was re-referred to the Committee on Phraseology and Style for action as provided by Rule 20.

At the hour of 5:45 o'clock p. m., Mr. Lindly moved that the Convention do now take a recess until 8:00 o'clock p. m.

And the motion prevailed.

8:00 o'Clock P. M.

The hour of 8:00 o'clock p. m. having arrived, the Convention resumed its session.

The President presiding.

The Convention proceeding on the order of Reports of Standing Committees.

Mr. Clarke submitted the following report:

REPORT NO. 23.

(June 27, 1922.)

THE COMMITTEE ON PHRASEOLOGY AND STYLE TO WHICH WAS REFERRED THE VARIOUS SECTIONS AND ARTICLES AS ADOPTED ON SECOND READING UP TO JUNE 27, 1922, RESPECTFULLY REPORTS THAT IT HAS CONSIDERED SUCH SECTIONS AND ARTICLES AND HAS COMBINED AND COORDINATED THEM TO CONSTITUTE THE REVISED CONSTITUTION AS A UNIT.

Resolved, *That the following shall become the Constitution of Illinois and the Schedule thereto:*

CONSTITUTION OF ILLINOIS.

Preamble.

We, the people of the State of Illinois, grateful to Almighty God for the civil, political and religious liberties which He hath so long permitted us to enjoy and looking to Him for a blessing upon our endeavors to secure and transmit them unimpaired to succeeding generations, in order to form

a more perfect government, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this constitution.

ARTICLE I.

Bill of Rights.

Section 1. All men are by nature free and independent and have certain inherent and inalienable rights; among these are life, liberty and the pursuit of happiness. To secure these rights and the protection of property, governments are instituted among men, deriving their just powers from the consent of the governed. A frequent recurrence to the fundamental principles of civil government is necessary to preserve the blessings of liberty.

Section 2. No person shall be deprived of life, liberty or property without due process of law.

Section 3. The free exercise and enjoyment of religious profession and worship without discrimination shall forever be guaranteed. No person shall be denied any civil or political right, privilege or capacity on account of his religious opinions. The liberty of conscience hereby secured shall not be construed to dispense with oaths or affirmations, excuse acts of licentiousness or justify practices inconsistent with the peace or safety of the state. No person shall be required to attend or support any ministry or place of worship against his consent, nor shall any preference be given by law to any religious denomination or mode of worship. The reading of selections from any version of the Old and New Testaments in the public schools without comment shall never be held to be in conflict with this constitution.

Section 4. Every person may freely speak, write or publish on any subject but is responsible for the abuse of this liberty. In trials for libel, civil or criminal, the truth when published with good motives and for justifiable ends is a sufficient defense.

Section 5. The right of trial by jury shall remain inviolate but may be waived except in capital cases. The general assembly may provide that women may be eligible to serve as jurors. Juries of less than twelve in civil cases may be authorized by law.

Section 6. The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated. No warrant shall issue without probable cause, supported by affidavit particularly describing the place to be searched and the persons or things to be seized.

Section 7. Excessive bail shall not be required. The privilege of the writ of habeas corpus shall not be suspended unless in case of rebellion or invasion the public safety may require it.

Section 8. No person shall be held to answer for a capital offense unless on indictment of a grand jury. Offenses which may be punished by imprisonment in the penitentiary may be prosecuted by indictment or on information filed by the attorney general or by a state's attorney. No such information shall be filed by a state's attorney except by leave granted, either in term time or in vacation, by a judge of a court of record having jurisdiction of the offense, after a showing of probable cause. All other offenses may be prosecuted as provided by law.

This section shall not apply to cases of impeachment, cases arising in the army and navy and in the militia when in actual service in time of war or public danger.

Section 9. In all criminal prosecutions the accused shall have the right to apear and defend in person and by counsel; to demand the nature and cause of the accusation and to have a copy thereof; to meet the witnesses face to face; to have process to compel the attendance of witnesses in his behalf; and to have a speedy public trial by an impartial jury of the county or district in which the offense is alleged to have been committed.

Section 10. No person shall be compelled in any criminal case to give evidence against himself or be put in jeopardy twice for the same offense.

Section 11. All penalties shall be proportioned to the nature of the offense. No conviction shall work corruption of blood or forfeiture of estate. No person shall be transported out of the state for any offense committed therein.

Section 12. No person may be imprisoned for debt except upon refusal to deliver up his estate for his creditors as prescribed by law or in case of strong presumption of fraud.

Section 13. Private property shall not be taken or damaged for public use without just compensation which, when not made by the state, shall be ascertained by a jury.

Section 14. No *ex post facto* law or law impairing the obligation of contracts or making any irrevocable grant of special privilege or immunities shall be passed.

Section 15. The military shall be in strict subordination to the civil power. No soldier in time of peace shall be quartered on a householder without his consent or in time of war except as provided by law.

Section 16. The people have the right to assemble in a peaceable manner to consult for the common good, to make known their opinions to their representatives and to apply for redress of grievances.

Section 17. All elections shall be free and equal.

Section 18. Every person ought to find a certain remedy in the law for all injuries and wrongs which he may receive in his person, property or reputation. He ought to obtain right and justice by law, freely, without being obliged to purchase it, completely and without denial, promptly and without delay.

Section 19. Laws shall be applicable alike to all citizens without regard to race or color.

ARTICLE II.

Powers and Form of Government.

Section 20. The legislative, executive and judicial departments shall be separate and no one of them shall exercise powers properly belonging to another.

Section 21. The republican form of government of this state shall never be abandoned, modified or impaired.

ARTICLE III.

Legislative Department.

Section 22. The legislative power shall be vested in a general assembly consisting of a senate and a house of representatives.

Section 23. The general assembly at the regular sessions in nineteen hundred twenty-three, nineteen hundred thirty-three and every twelve years thereafter shall apportion the state into fifty-seven senatorial districts each of which shall elect one senator and into one hundred fifty-three representative districts each of which shall elect one representative. The basis of apportionment for both houses shall be the number voting for governor at the last regular election for that office previous to the apportionment. Every district shall be formed of compact and contiguous territory and shall be bounded by county lines except in counties comprising two or more districts when such districts may be bounded by precinct or ward lines.

The territory now forming the county of Cook shall constitute nineteen senatorial districts. The territory forming the rest of the state shall constitute thirty-eight senatorial districts. At each apportionment the number so voting in the county of Cook shall be divided by nineteen and the quotient shall be the senatorial ratio for that territory and the number so voting in the rest of the state shall be divided by thirty-eight and the quotient shall be the senatorial ratio for that territory. The senatorial districts in

each territory shall contain as nearly as practicable the ratio for that territory but in no case less than three-fourths of such ratio.

At each apportionment the number so voting in the entire state shall be divided by one hundred fifty-three and the quotient shall be the representative ratio for the state. Representative districts shall contain as nearly as practicable the representative ratio. No district shall contain less than four-fifths of the representative ratio. But a county having less than four-fifths of the ratio may be joined with an adjoining county having less than the ratio in forming a district; counties having less than four-fifths of the ratio may be formed into districts of one or more counties; such districts shall be as near the ratio as practicable; and when of more than one county such counties shall be adjoining. Counties comprising not less than one ratio and three-fourths shall be divided into two or more districts. Each district in counties comprising more than two districts shall contain at least the full ratio.

Section 24. If the general assembly fails to make any such apportionment it shall be the duty of the secretary of state, the attorney general and the auditor of public accounts to meet at the office of the governor within ninety days after the adjournment of the regular session of the year designated for that purpose and make an apportionment as provided in section twenty-three of this constitution.

Section 25. Senators shall be at least twenty-five and representatives at least twenty-one years of age. No person shall be a member of the general assembly who holds any other lucrative public office or employment (except as a militia officer or justice of the peace) or is not a citizen of the United States or has not resided for five years in the state and for two years next before his election in the territory forming the district.

Section 26. Senators from even numbered districts shall be elected in nineteen hundred twenty-four and those from odd numbered districts in nineteen hundred twenty-six and every four years thereafter. Representatives shall be elected in nineteen hundred twenty-four and every two years thereafter. Senators shall hold office for four years and representatives for two years beginning on the day of the convening of the regular session next after the election. Vacancies shall be filled by special elections called by the governor.

TIME OF MEETING AND RULES.

Section 27. The general assembly shall convene at noon on Wednesday after the first Monday in January in odd numbered years. The secretary of state shall preside over the house of representatives until a temporary presiding officer is chosen who shall preside until a speaker is chosen. The lieutenant governor shall preside over the senate and may vote in case of tie. The senate shall choose a president to preside during the absence or pending the impeachment of the lieutenant governor or while he acts as governor.

Section 28. The governor may convene the general assembly by proclamation on extraordinary occasions; but it shall enter upon no business save that stated in the proclamation or in one additional message from the governor during the session.

Section 29. Members of the general assembly before entering upon their duties shall take and subscribe the following oath or affirmation:

I do solemnly swear (or affirm) that I will support the constitution of the United States and the constitution of the State of Illinois and will faithfully discharge the duties of senator (or representative) to the best of my ability; that I have not, knowingly or intentionally, paid or contributed anything or made any promise in the nature of a bribe directly or indirectly to influence any vote at my election; that I have not accepted, nor will I accept or receive, directly or indirectly, any money or other valuable thing from any corporation, association or person for any vote or influence I may give or withhold on any bill, resolution or appropriation or for any other official act.

This oath shall be administered by a judge of the supreme or circuit court in the hall of the house to which the member is elected. The secretary of state shall record and file the oath subscribed by each member. Any member who refuses to take this oath shall forfeit his office. Any member who is convicted of swearing falsely to or of violating his oath shall forfeit his office and be disqualified thereafter from holding any office in this state.

Section 30. A majority of the members elected to each house shall constitute a quorum. Each house shall determine its rules, choose its temporary and permanent officers and judge the election and qualifications of its members. Each house may punish by imprisonment not exceeeding twenty-four hours (unless the offense is persisted in) any person not a member guilty of disorderly or contemptuous behavior in its presence; and by a vote of two-thirds of those elected and once only for the same offense may expel a member.

Section 31. The doors of each house and of committees of the whole shall be open except when in the opinion of the house secrecy is required. Neither house without the consent of the other shall change its place of sitting or adjourn for more than three days. Each house shall keep and publish a journal of its proceedings. Two members of the senate or five members of the house may have the yeas and nays taken on any question and entered upon the journal. Two members of either house may have entered upon the journal in respectful language the reasons for their dissent from or protest against any act or resolution.

Section 32. If the two houses disagree as to time of adjournment, the governor on receiving a certificate of such disagreement from either house may adjourn the general assembly to any time not beyond the first day of the next regular session.

Section 33. By joint resolution concurred in on roll call by two-thirds of the members elected to each house, the general assembly may authorize committees to continue after its adjournment *sine die* and until the next regular session convenes.

LEGISLATIVE PROCEDURE.

Section 34. No law shall be passed except by bill. Bills may be originated, amended or rejected in either house.

Section 35. The enacting clause of laws shall be: Be it enacted by the People of the State of Illinois, represented in the General Assembly.

Section 36. No act shall embrace more than one subject and that shall be expressed in the title. Any act embracing a subject not expressed in the title shall be void only as to such subject. No act shall be revived by reference to its title only. An act expressly amending an act shall set forth at length the section or sections as amended.

Section 37. Appropriation bills to pay members, officers and employees of the general assembly shall contain no provision on any other subject.

Appropriations for the offices of governor, lieutenant governor, secretary of state, attorney general, treasurer, auditor of public accounts and superintendent of public instruction shall be made by separate bills for each office.

Section 38. Bills making appropriations of money out of the treasury shall specify the objects and purposes for which the appropriations are made and appropriate to them respectively their several amounts in distinct items and sections.

Section 39. No subject matter shall be included in any conference committee report on an appropriation bill unless such subject matter directly relates to matters of difference between the houses and has been specifically referred to the conference committee.

No report of any conference committee on an appropriation bill shall be considered and no appropriation bill shall be voted on unless the report and the bill in its final form have respectively been printed and placed on the desks of the members at least three legislative days before the report is considered or the bill is passed.

Section 40. Every bill shall be read by title on three different days in each house but the rules of either house may provide for the reading of bills at greater length on second and third reading.

Section 41. Every bill and all amendments thereto, except an amendment striking out an emergency clause, shall be printed before final passage in each house. No bill shall become law unless on final passage in each house a majority of the members elected concur by yea and nay vote which shall be taken separately on each bill and entered upon the journals. When passed by both houses a bill shall be signed by the presiding officers thereof and the facts of printing, placing on the desks of members, signing and presentation to the governor and the date of such presentation shall be entered upon the journals.

Section 42. Every bill passed by the general assembly shall be presented to the gvernor and if signed by him shall thereupon become law. At the time of signing an appropriation bill the governor may disapprove any section or item thereof by appending to the bill a statement of his objections. If the governor does not approve a bill or if he disapproves an appropriations bill in part, he shall return the bill with his objections to the house where it originated. If thereafter such disapproved bill or any disapproved section or item of an appropriation bill is again approved by two-thirds of the members elected to each house, the bill or such section or item of an appropriation bill shall become law notwithstanding the objections of the governor. Any disapproved bill or disapproved part of an appropriation bill shall be reconsidered first in the house where the bill originated and then sent with the objections of the governor to the other house. Each house before reconsidering shall enter the governor's objections at large upon its journal.

Any bill which is not returned by the governor within ten days, Sundays excepted, after it is presented to him shall thereupon become law as if he had signed it. If the general assembly by adjournment prevents its return the bill shall become law at the end of thirty days after such adjournment unless within that time the governor files the bill and his objections with the secretary of state.

Section 43. No appropriation act shall take effect until the first day of July succeeding its enactment and no other act shall take effect until sixty days after the adjournment of the session at which it was enacted; but in an emergency, the fact of which shall be expressed in the body of the act, the general assembly may direct otherwise by a vote of two-thirds of the members elected to each house.

LEGISLATIVE LIMITATIONS.

Section 44. No local or special law shall:

Grant divorces;
Change the names of persons or places;
Provide for opening, altering or working public highways;
Vacate highways, public grounds or town plats;
Regulate county or town affairs;
Create municipal corporations or amend their charters;
Provide for summoning or impaneling juries;
Provide for the management of common schools;
Regulate interest rates;
Regulate elections or designate places of voting;
Regulate the sale or mortgage of real estate of persons under disability;
Protect game or fish unless by reasonable classification of waters;
Authorize ferries or toll bridges;
Remit fines, penalties or forfeitures;
Change the law of descent;
Grant the right to construct railroad tracks; or
Grant any special or exclusive privilege, immunity or franchise.

No special law shall be enacted if a general law can be made applicable.

Section 45. Lotteries and gift enterprises are forbidden.

Section 46. No liability due the state or any subdivision thereof or any municipal corporation shall ever be released or extinguished by law.

Section 47. No officer shall be elected or appointed by the general assembly or by either house except their respective officers.

Section 48. No special law may grant or change any corporate powers except those of educational, charitable, reformatory or penal corporations, under the patronage and control of the state.

Section 49. No law shall be passed authorizing any bank of issue or authorizing the state to conduct, own any interest in or incur any liability for any banking business.

Section 50. No law shall be passed authorizing the labor of any convict confined within any penitentiary or other reformatory institution to be let to any person, corporation or association.

IMPEACHMENTS.

Section 51. The governor and all civil officers of the state shall be liable to impeachment for misdemeanor in office. The house of representatives shall have the sole power of impeachment. A majority of the members elected must concur therein. Impeachments shall be tried by the senate, each senator being upon oath or affirmation to do justice according to the law and the evidence. When the governor is tried the chief justice shall preside. No person shall be convicted without the concurrence of two-thirds of the senators elected. Judgment in case of impeachment shall not extend beyond removal from office and disqualification for any office under the state; but the person impeached whether convicted or acquitted shall be liable to prosecution according to law.

PROVISIONS CONCERNING MEMBERS.

Section 52. The pay and mileage allowed each senator and representative shall be certified by the presiding officers of their respective houses and entered upon the journals. No senator or representative shall receive any other compensation or allowance. No law increasing the pay or other allowance of members of the general assembly shall take effect until the second regular session next following its enactment.

Section 53. Except for treason, felony or breach of the peace senators and representatives shall be privileged from arrest while going to, attending or returning from sessions of the general assembly. They shall not be questioned elsewhere for any speech in either house.

Section 54. No person elected to the general assembly shall receive or hold any lucrative civil appointment in this state during the term for which he is elected.

Section 55. No member of the general assembly during his term or within one year thereafter shall be beneficially interested directly or indirectly in any contract, authorized by a law enacted during his term, with the state or any subdivision thereof or any municipal corporation.

MISCELLANEOUS PROVISIONS.

Section 56. The general assembly shall pass liberal homestead and exemption laws.

Section 57. The general assembly shall pass laws to encourage forestry.

Section 58. The general assembly shall pass laws for the protection of operative miners, providing for ventilation and the construction of escapement shafts or other appliances securing safety in mines and shall prescribe such penalties and punishments for the enforcement thereof as it deems proper.

Section 59. The general assembly may provide for:

Opening private roads to communicate with public roads;

Permitting owners and lessees of lands and minerals to construct drains, ditches and levees on, across or under the lands of others for agricultural, sanitary or mining purposes;

Organizing drainage districts for flood control or for sanitary or agricultural purposes with powers of eminent domain and special assessment; and

Making surveys and straightening and improving water courses at the expense in part of drainage districts and in part of the state or any subdivision thereof.

This section shall not be construed as a limitation of the powers of the general assembly.

Section 60. The general assembly may authorize the state or any subdivision thereof or any municipal corporation to take and to hold, lease or sell more land than is needed for a public improvement whenever the court finds the excess is required to protect, preserve or aid the improvement and is reasonable in quantity therefor.

Section 61. The general assembly shall not grant the right to occupy the streets or public grounds of any municipal corporation without its consent.

Section 62. The general assembly in order to promote the general welfare may authorize cities, villages and incorporated towns to adopt reasonable regulations governing the use and appearance of land and the location, appearance, size and use of structures and to divide their territory into zones to each of which special regulations may be applied. Distinctions may be made between conditions existing at the time of adoption of any such regulations and future conditions. Such regulations shall not be enforced as to conditions existing at the time of their adoption without payment of just compensation unless such regulations might lawfully be so enforced irrespective of the provisions of this section. Any statute in force at the time of the adoption of this constitution (or any ordinance passed in conformity with such statute) which comes within the provisions of this section shall be valid.

Section 63. The general assembly may provide for lending money on farm lands in the state; but no act providing therefor (or any amendment thereto) shall take effect until it is approved by a majority of those voting on the question at a general election. Such loans shall be amortized in not to exceed thirty-three years and shall be secured by first mortgages or deeds of trust made by those owning, occupying and cultivating the lands pledged. Reasonable preferences concerning loans may be given to persons honorably discharged from the armed forces of the United States.

Section 64. Every stockholder of a bank shall be liable (in addition to any liability for his stock) to the amount of the par value of the stock held by him for liabilities of the bank accruing while he held such stock. The general assembly shall provide the manner in which that obligation may be enforced. In every election for directors of a bank each stockholder may cast, in person or by proxy, as many votes as shall equal the number of directors to be elected multiplied by the number of shares owned by him and may cumulate his votes for one candidate or distribute them among several.

ARTICLE IV.

Executive Department.

Section 65. The executive department shall consist of a governor, lieutenant governor, secretary of state, attorney general, treasurer, auditor of public accounts, superintendent of public instruction and such other officers as provided by law. Except the lieutenant governor they shall reside at the seat of government during their terms.

Section 66. The governor and lieutenant governor each shall be at least thirty-five years of age and a citizen of the state for ten years next before his election. No elective officer of the executive department shall hold another office during the term for which he is elected.

Section 67. No state treasurer shall again hold that office within four years after his term expires. The treasurer may be required by the governor to give reasonable additional security and in default of so doing his office shall be deemed vacant.

Section 68. The officers specifically named in section sixty-five of this constitution except the superintendent of public instruction shall be elected

in nineteen hundred twenty-four and every four years thereafter. The superintendent of public instruction shall be elected in nineteen hundred twenty-six and every four years thereafter.

The term of office of every such officer shall be four years from the second Monday of January next after his election.

Section 69. The election returns for officers of the executive department shall be sealed and transmitted by the returning officers to the secretary of state directed to the speaker of the house of representatives. Before that house proceeds to other business and immediately after its organization, the speaker shall open and publish such returns in the presence of a majority of each house assembled in the hall of the house of representatives and then declare elected to each office the person so shown to have the highest number of votes therefor. The general assembly by ballot in joint session shall determine contested elections for such offices and in case of tie shall choose in like manner one of the persons tied.

Section 70. The public records and papers of the executive department shall be kept at the seat of government.

Section 71. The officers of the executive department shall be paid salaries and shall not receive to their own use any other compensation.

Section 72. Each officer of the executive department shall perform such duties a are prescribed by law.

Section 73. The supreme executive power shall be vested in the governor who shall take care that the laws are faithfully executed.

Section 74. At the commencement of each regular session and at the close of his term the governor shall inform the general assembly of the condition of the state and recommend such measures as he deems expedient. At the same time he shall account to the general assembly for all funds subject to his order.

Section 75. The governor shall nominate and with the consent by yea and nay vote of a majority of those elected to the senate shall appoint all officers whose appointment or election is not otherwise prescribed by law.

If a vacancy exists during the recess of the senate in any office where the appointing power is vested in the governor subject to the consent of the senate, the governor shall make a temporary appointment until the next meeting of the senate when he shall nominate some person for the office.

No person rejected by the senate shall be nominated again for the office at the same session save on request of the senate or be appointed to the office during the recess of the senate.

Section 76. For incompetency, neglect of duty or malfeasance in office the governor may remove any officer whom he may appoint.

Section 77. The governor may grant reprieves, commutations and pardons for all offenses after conviction on such terms as he thinks proper; but the manner of applying therefor may be regulated by law.

Section 78. The governor shall be commander-in-chief of the armed forces of the state except when they are in the service of the United States and may call them out to execute the law, protect life or property, suppress insurrection or repel invasion.

Section 79. If the office of governor becomes vacant the lieutenant governor shall become governor for the residue of the term. If the governor fails to qualify, is absent from the state or is under disability, the powers, duties and emoluments of the office shall devolve upon the lieutenant governor for the residue of the term or until the cause which renders the governor incapable of performing his duties is removed.

If there is no lieutenant governor or if for any of the above causes he is incapable of performing the duties of the office, its powers, duties and emoluments shall devolve, first upon the president of the senate and after him, for like cause, upon the speaker of the house of representatives; but each of them shall act only until the cause which renders the officer having the prior right incapable of performing the duties of the office is removed or until the vacancy is filled by election.

Section 80. If the office of secretary of state, attorney general, treasurer, auditor of public accounts or superintendent of public instruction becomes vacant, the governor shall fill the vacancy by appointment until a successor is elected and qualified.

Section 81. Each officer of the executive department and the chief officer of each public institution of the state shall render under oath to the governor a semiannual account of all moneys received or disbursed. At least ten days before the regular session of the general assembly each of these officers shall report the condition of his office to the governor who shall transmit the reports to the general assembly. Additional reports may be required of these officers by the governor.

Section 82. The state treasurer as a part of each semiannual report shall show the daily balances of state funds in his custody and in every bank, safe or other place of deposit or safe keeping where such funds were during the period covered by the report. He shall accompany his report with a sworn statement of an executive officer in charge of every such bank, safe or other place of deposit. Such statement shall show each payment of interest or other compensation made or to be made by reason of the deposit or use or keeping of any part of such funds.

Section 83. There shall be a great seal of the State of Illinois to be kept and used by the secretary of state as directed by law.

Section 84. The auditor of public accounts shall publish within sixty days after the adjournment of each session of the general assembly a statement of the expenses of such session, specifying the amount of each item and to whom and for what paid.

Section 85. A uniform system of accounts for all county officers shall be prescribed and supervised by the auditor of public accounts and their accounts shall be audited by him.

ARTICLE V.

Judicial Department.

Section 86. The judicial power shall be vested in a supreme court, in appellate, circuit and county courts and in justices of the peace.

THE SUPREME COURT.

Section 87. The supreme court shall consist of seven justices one of whom to be chosen by themselves shall be chief justice.

Section 88. The state shall be divided into six districts for the election of justices. The first district shall consist of the territory now comprising the county of Cook and two justices shall be elected from that district. The rest of the state shall be divided into five districts each of which shall elect one justice and until otherwise provided by law the five districts shall be as follows:

Second district, the counties of Lake, McHenry, Boone, Winnebago, Stephenson, Jo Daviess, Carroll, Ogle, De Kalb, Kane, Du Page, Lee, Whiteside and Rock Island;

Third district, the counties of Mercer, Henderson, Hancock, Schuyler, McDonough, Warren, Knox, Henry, Bureau, Stark, Peoria, Fulton, Mason, Tazewell, Woodford, Marshall, Putnam, La Salle, Livingston, Grundy and Kendall;

Fourth district, the counties of Will, Kankakee, Iroquois, Vermilion, Edgar, Clark, Coles, Douglas, Champaign, Ford, McLean, De Witt, Platt, Moultrie, Macon, Logan, Menard and Sangamon;

Fifth district, the counties of Cass, Brown, Adams, Pike, Scott, Morgan, Greene, Calhoun, Jersey, Macoupin, Madison, Bond, Montgomery, Christian, Shelby, Fayette, Marion, Clay, Effingham, Cumberland, Jasper, Richland, Crawford and Lawrence;

Sixth district, the counties of Wabash, Edwards, Wayne, Jefferson, Washington, Clinton, St. Clair, Monroe, Randolph, Perry, Franklin, Hamil-

ton, White, Gallatin, Saline, Williamson, Jackson, Union, Alexander, Pulaski, Johnson, Massac, Pope and Hardin.

Section 89. One justice of the supreme court shall be elected in the first district in nineteen hundred twenty-four; one justice in the first district in nineteen hundred thirty-three; one justice in the second district in nineteen hundred thirty-one; one justice in the third district in nineteen hundred twenty-seven; one justice in the fourth district in nineteen hundred twenty-four; one justice in the fifth district in nineteen hundred twenty-four; one justice in the sixth district in nineteen hundred twenty-four; and every ten years thereafter respectively. The term of office of each justice shall be ten years from the date of his election.

Section 90. Whenever a quorum of the supreme court certifies to the governor that it is unable to dispose of pending cases with reasonable dispatch because of the death, disability or resignation of any justice, the governor shall designate a judge of one of the appellate courts to act as a justice of the supreme court and receive the salary paid a justice of that court until the vacancy is filled or the supreme court certifies to the governor that the disability is removed. Such designation shall not affect the term of such judge.

Section 91. The supreme court shall sit at the seat of government. A majority of the justices shall constitute a quorum and the concurrence of four shall be necessary for every decision.

Section 92. The supreme court shall have original jurisdiction in cases relating to the revenue, in quo warranto, mandamus, habeas corpus, prohibition and other cases involving questions of great public importance and appellate jurisdiction in all cases.

Section 93. The supreme court shall have exclusive power to prescribe rules of pleading, practice and procedure in all courts; but rules not inconsistent therewith may be prescribed respectively by other courts of record. Any rule of court may be set aside by the general assembly by a special law limited to that purpose.

Section 94. The supreme court shall appoint its clerk and a reporter of its decisions for terms of six years each subject to removal by the court.

APPELLATE COURTS.

Section 95. There shall be an appellate court of the first district, an appellate court of the second district, an appellate court of the third district and an appellate court of the fourth district. They shall be of uniform jurisdiction and have such districts and sit at such places as provided by law.

Section 96. Each appellate court shall consist of three judges or such multiple of three as the supreme court may from time to time determine. In appellate courts of more than three judges the supreme court may assign the judges thereof to divisions of three judges each. Each division shall select a presiding judge and the presiding judge shall apportion the work of the court among the several divisions and perform such other administrative acts as may be necessary.

Section 97. Judges of appellate courts shall be appointed by the supreme court. The terms of judges of appellate courts shall be six years and shall expire in the first district on December thirty-first, nineteen hundred twenty-eight, and in the other districts on December thirty-first, nineteen hundred twenty-seven, and every six years thereafter respectively, except that judges appointed to newly created divisions shall hold office only until the last day of the pending term for appellate judges. On or before January first, nineteen hundred twenty-nine, in the first district and January first, nineteen hundred twenty-eight, in the other districts and every six years thereafter judges of all the appellate courts shall be appointed. The supreme court for cause shown of record may remove any judge of an appellate court.

Section 98. The appellate courts shall hold such sessions as the supreme court may direct.

Section 99. Each appellate court shall appoint its clerk for a term of six years subject to removal by the court.

APPEALS AND WRITS OF ERROR.

Section 100. Appeals from and writs of error to circuit and county courts may be prosecuted in all cases as follows:

To or from the supreme court in all criminal cases where the punishment allowed by law may be death or imprisonment in the penitentiary and in cases where a franchise or a freehold or the validity of a statute is involved;

To or from the appellate courts in such other cases as may be prescribed by general rule of the supreme court;

To or from the supreme court in all other cases.

Except as above limited the supreme court by general rule may prescribe the final jurisdiction of appellate courts unless otherwise provided by law.

CIRCUIT COURTS OUTSIDE THE COUNTY OF COOK.

Section 101. The state outside of the county of Cook shall be divided into judicial circuits formed of contiguous counties as compact in form and as nearly equal as circumstances permit having regard to business, territory and population. The number of such circuits shall not exceed one for every one hundred fifty thousand population except that a circuit may be formed of a county or contiguous counties having a population exceeding one hundred thousand if the business of the circuit court or courts therein occupies nine months of the year. Circuits may be changed by law but only at the first session of the general assembly after the adoption of this constitution and at any session next preceding an election for circuit judges. No such change shall affect the term of any judge.

Section 102. In every circuit there shall be elected in ineteen hundred twenty-seven and every six years thereafter three judges of the circuit court whose terms shall be six years from the date of their election.

Section 103. In every such county there shall be a circuit court with original jurisdiction of all cases at law and in equity and such other jurisdiction as provided by law.

Section 104. The circuit courts shall always be open for the transaction of business but terms of court not less than four annually may be prescribed by law for common law and criminal cases. In chancery cases and, unless otherwise provided by law for any county or counties, in common law cases, the first Monday of each month shall be the return day for process. The circuit court shall sit at the county seat of each county and in all cities, other than county seats, of more than fifty thousand population. A majority of the judges of the circuit may also provide for holding sessions of court in any city wholly or partly in the county whenever such city or part thereof has not less than five thousand population. All such cities, other than county seats, shall provide and maintain suitable facilities for holding court without expense to the county or state.

CIRCUIT COURT OF COOK COUNTY.

Section 105. The territory now comprising the county of Cook shall constitute one circuit and have a circuit court with original jurisdiction of all cases, matters and proceedings requiring judicial action and jurisdiction of appeals from justices of the peace.

Section 106. There shall be elected to the office of judge of the circuit court of Cook county on the first Monday of June, nineteen hundred thirty-one, nineteen judges as successors to the judges whose terms expire in that year; on the first Monday of June, nineteen hundred thirty-three, nineteen judges as successors to the judges whose terms expire in that year; and on the first Monday of June, nineteen hundred thirty-five, twenty judges as successors to the judges whose terms expire in that year. Thereafter on the first Monday of June of the year in which the terms of any judges of that court expire and every six years thereafter, successors to such judges shall be elected. Provision may be made by law for the election of an additional judge for every fifty thousand population in the county above three million four hundred thousand. The number of judges may also be reduced by law.

Section 107. Judges of the circuit court of Cook county shall be elected for terms of six years from the date of their election. At all elections for such judges the ballots therefor shall be separate and distinct from the ballots for non-judicial officers.

Section 108. The circuit court of Cook county shall sit in the city of Chicago but provision may be made by law for holding sessions in other cities, villages or incorporated towns in the county havng a population of at least five thousand whenever suitable facilities for holding court are provided and maintained without expense to the county or state.

Section 109. The supreme court shall establish a civil division and a criminal division of the circuit court of Cook county. The supreme court from time to time shall assign judges to service in the two divisions and shall designate a judge to act as chief justice of each division who shall have such administrative power and authority as may be provided by the supreme court.

Section 110. The supreme court may authorize the chief justices of the civil and criminal divisions jointly, by and with the advice and consent of a majority of the judges of the court, to appoint assistants who shall have such judicial or other powers and duties in respect to the business before the court as the supreme court may prescribe. The salaries of such assistants shall be fixed by the county board and paid out of the county treasury.

Section 111. Electors of the county of Cook equal in number to one-tenth of the total vote cast for president of the county board at the last preceding election may file in the circuit court a petition to submit to a vote the proposition whether the county shall adopt the system hereinafter provided for the appointment of the judges of the circuit court. Thereupon the chief justice of the civil division of that court by an order entered of record shall call a special election for submitting such proposition within three months after such order is entered. If the proposition is approved by a majority of those voting thereon it shall be declared adopted by such chief justice; if it is disapproved it shall not again be submitted for six years. Upon the adoption of the proposition the judges in office shall continue in office until removed as hereinafter provided. After the adoption of the proposition the manner of choosing judges of that court shall be as follows: The governor shall fill any vacancy in that court by appointment from a list containing the names of not less than four eligible persons for each vacancy, nominated by a majority of the supreme court, not more than one-half of such persons to be affiliated with the same political party. Thereafter each judge shall hold his office during good behavior subject to removal as herein provided. On the first Monday in June in the sixth year after the election or appointment of every judge, or in the seventh year if the sixth is an even numbered year, and on the same date in every sixth year thereafter, the electors of the county shall be given an opportunity at an election to express their disapproval of such judge. If a majority of those voting at any such election disapproves of any judge his office shall become vacant at the end of three months after the election and for a period of six years thereafter he shall be ineligible to appointment as a judge of such court; if such judge is not disapproved, he shall continue in office and begin a new term on the day of such election. All elections under this section shall be conducted in the manner prescribed by law.

Section 112. After five years from the adoption of this constitution the general assembly may divide the circuit court into, and the jurisdiction thereof between, two courts both of which shall be governed by the provisions of this article so far as applicable. No act providing therefor shall become effective until approved by a majority of those voting on the question at a general election in the county of Cook.

COUNTY COURTS.

Section 113. In each county except the county of Cook there shall be elected in nineteen hundred twenty-seven and every six years thereafter a

judge of the county court except that contiguous counties may by law be made a district in which one judge shall be elected for all county courts in the district. An additional judge shall be elected for every fifty thousand population or major portion thereof in a county above a population of fifty thousand. The term of every county judge shall be six years from the date of his election.

Section 114. In every such county there shall be a county court which shall have:

Original jurisdiction of all matters of probate, guardianship, conservatorship and apprenticeship, the administration and settlement of estates of deceased persons and proceedings for the sale of real estate where required for the administration and settlement of such matters or estates; proceedings relating to taxes and assessments and their collection; and criminal cases below the grade of felony;

Concurrent jurisdiction with the circuit courts in testamentary trusts, construction of wills and partition of real estate where any such proceeding is incidental to its original jurisdiction;

Exclusive jurisdiction of appeals from justices of the peace; and

Such other jurisdiction as provided by law.

Section 115. County courts shall always be open for the transaction of business and the first Monday of each month shall be return day for process or appeals. The court shall sit at the county seat and shall also sit in cities in the county of twenty thousand population or more whenever suitable facilities for holding court are provided and maintained without expense to the county or state.

JUSTICES OF THE PEACE.

Section 116. Justices of the peace and constables outside the county of Cook shall be elected or appointed in such towns or districts and such justices of the peace shall have such uniform jurisdiction as provided by law. They shall receive salaries from their respective towns or districts to be fixed by the county board.

Section 117. The chief justice of the civil division of the circuit court of Cook county shall appoint a justice of the peace and a constable in each town or portion of town in the county outside the city of Chicago, each of whom shall hold office for two years unless sooner removed by such chief justice for cause shown of record. An additional justice of the peace and constable may be appointed in every such town or portion of town for every additional ten thousand population therein or major portion thereof above a population of ten thousand. Such justices of the peace shall have the same jurisdiction and such constables shall perform the same duties in the part of the county of Cook outside the city of Chicago as like officials in the rest of the state. The salaries of such justices of the peace and constables shall be fixed by the county board and paid by the county.

Section 118. The offices of justice of the peace and constable or either of them may be abolished or restored in any town or district (or in any town or portion of a town in the county of Cook or in that part of the county of Cook outside the city of Chicago as a whole) by a majority vote of the electors thereof voting on the question as provided by law.

STATE'S ATTORNEYS.

Section 119. There shall be a state's attorney elected in each county in nineteen hundred twenty-four and every four years thereafter for a term of four years from the first Monday of December next after his election. At the time of his election or appointment he must be licensed to practice law in this sttae.

GENERAL PROVISIONS.

Section 120. Laws relating to courts having the same jurisdiction and to the force and effect of the process, judgments and decrees of such courts severally shall be uniform.

Section 121. The general assembly, upon due notice and opportunity for defense and for cause entered upon the journal of each house, may

remove any justice or judge upon concurrence in each house of three-fourths of its elected members. All other officers mentioned in this article shall be removed from office on conviction for misdemeanor in office.

Section 122. Provision may be made by rule of the supreme court for the bringing of actions or proceedings in which a merely declaratory judgment or decree or order is sought and for authorizing the court to make a binding declaration of right whether or not any consequential relief may be claimed.

Section 123. Process shall run: In the name of the People of the State of Illinois. Prosecutions shall be carried on: In the name and by the authority of the People of the State of Illinois; and shall conclude: Against the peace and dignity of the People of the State of Illinois.

Section 124. Justices of the supreme court and judges of the appellate and circuit courts shall be at least thirty-five years of age and for at least ten years shall have been licensed to practice law in this state and for such time in this state shall have been engaged in the practice of law or acted as judicial officers or both. Judges of the county courts shall be at least thirty years of age and for at least five years shall have been licensed and had like experience.

Section 125. Judicial officers shall be commissioned by the governor and the appointing power to fill vacancies in elective judicial offices shall be vested in him except as otherwise provided herein.

Section 126. The officers of the judicial department shall reside in the district, circuit or county for which they are respectively elected or appointed.

Section 127. Justices of the supreme court and judges of the appellate, circuit and county courts shall be paid salaries by the state which shall be uniform for the several courts except county courts. In the county of Cook judges of the appellate and circuit courts shall each receive the salary paid such judges respectively in the rest of the state and such further compensation from the county of Cook as provided by law.

Section 128. No justice of the supreme court or judge of any court of record so long as he holds such office shall receive any compensation, perquisite or benefit other than his salary or engage in the practice of law.

Section 129. Whenever the supreme or appellate court districts are changed they shall be formed of contiguous counties as compact in form and as nearly equal in population as may be. No such change shall affect the term of any justice or judge.

Section 130. The supreme court may temporarily assign judges of the appellate courts from one district to another and judges of the circuit courts from one circuit to another.

Section 131. If a judge of any circuit or county court is appointed judge of an appellate court, the vacancy so caused in the circuit or county court shall be filled by appointment by the supreme court. The judge so appointed to the circuit or county court shall serve until his successor is elected and qualified.

ARTICLE VI.

Suffrage and Elections.

Section 132. Excepting only idiots and persons adjudged insane or convicted of infamous crime and not restored to civil rights, every citizen of the United States above the age of twenty-one years who has resided in the state one year and (unless naturalized because of military or naval service) in the United States five years, shall be a qualified elector. He may vote only in the election district and county in which he has resided thirty and ninety days respectively next before such election.

Section 133. No person shall be deemed to have lost his voting residence because of absence in the service of the state or the United States or to have gained a voting residence because he has been stationed as a soldier, seaman or marine in this state.

Section 134. Votes shall be by ballot.

Section 135. Except for treason, felony or breach of the peace electors shall be privileged from arrest during attendance at and in going to and returning from elections. Militia duty shall not be required of electors on election days except in time of war or public danger.

Section 136. In that part of the state outside the county of Cook no final election of officers shall be held save on the first Tuesday after the first Monday of November which shall be a holiday; but after the first day of January, nineteen hundred twenty-seven, the general assembly by a vote of two-thirds of the members elected to each house may provide for the election of officers at other times.

Section 137. Every vacancy in an elective office which would continue a year or more beyond the first regular election occurring after ninety days shall be filled at such election; but such vacancy prior to the qualification of the person elected and all other vacancies may be filled by appointment.

Section 138. This article shall apply to all elections under this constitution or other law.

ARTICLE VII.

Revenue and Finance.

REVENUE.

Section 139. The power of taxation shall never be surrendered, suspended or contracted away. All taxes shall be levied and collected only under general law and for public purposes. Taxes levied for state purposes shall never be released, discharged or commuted. The specification herein of objects and subjects of taxation shall not deprive the general assembly of the power to require other objects or subjects to be taxed in such manner as may be consistent with the principles of taxation fixed in this constitution.

Section 140. Taxes may be imposed on privileges, franchises and occupations, uniform as to class.

Section 141. The general assembly shall provide for the levying of taxes upon property by valuation so that every person or corporation shall pay a tax in proportion to the value of his or its property, such value to be ascertained by some person or persons to be elected or appointed in such manner as the general assembly shall direct and not otherwise.

Section 142. In lieu of any tax on intangible property or any kind or class thereof, by valuation, the general assembly may provide a uniform and substantial tax on the income derived therefrom.

Section 143. A general income tax may be imposed upon all net incomes. If such income tax is graduated and progressive the highest rate shall not exceed three times the lowest rate.

Section 144. Taxes on incomes shall be levied and collected only by the state. The revenue raised under the general income tax shall be apportioned to the state and to the taxing bodies as the general assembly may prescribe. Of the revenue raised under any income tax imposed under section one hundred forty-two of this constitution there shall be used for state purposes the same percentage as is used from the total revenue from taxes by valuation and the residue shall be returned to the respective counties from which it was collected to be distributed among the taxing bodies thereof as provided by general law.

Section 145. Exemptions and deductions may be allowed as follows and not otherwise:

First, the following classes of property and the income therefrom may be relieved by general law from taxation; (1) public property; (2) household furniture used as such up to five hundred dollars in value; (3) parsonages owned and used as such; (4) property used exclusively for (a) agricultural or horticultural societies not organized for pecuniary profit, (b) incorporated societies of war veterans, (c) cemeteries not held for private profit and (d) school, charitable or religious purposes.

Second, if a general income tax is imposed as authorized in section one hundred forty-three of this constitution, the general assembly may provide for; (1) an exemption of all household furniture and implements of agriculture or labor used as such without limit as to amount; (2) an exemption from income derived from personal service of not to exceed one thousand dollars to the head of a family plus two hundred dollars for each dependent child under the age of sixteen years, and not to exceed five hundred dollars to any other person; (3) such deductions as shall compensate for taxes paid on property from which the taxed income is derived or for income tax paid in lieu of a tax by valuation or for taxes paid under section one hundred forty of this constitution.

Section 146. Areas devoted to forests or forest culture may be classified for or exempted from taxation.

Section 147. No contract, obligation or liability whatever of the Illinois Central Railroad Company to pay any money into the state treasury, nor any lien of the state upon, or right to tax property of, that company, in accordance with the provisions of the charter of that company, approved February tenth, in the year one thousand eight hundred fifty-one, shall ever be released, suspended, modified, altered, remitted, or in any manner diminished or impaired by legislative or other authority; and all moneys derived from that company after the payment of the state debt shall be appropriated and set apart for the payment of the ordinary expenses of the state government, and for no other purpose whatever.

Section 148. The general assembly may vest the corporate authorities of cities, villages, incorporated towns and park districts, jointly or severally, with power to make local improvements by special assessment, by special taxation of contiguous property or otherwise.

Section 149. No owner of real estate shall be divested of title for default in payment of general or special taxes or assessments except upon sale by the county treasurer or by forfeiture to the state and in either case only after judgment of a court of record entered after notice as provided by law. Not less than two years shall be allowed to redeem from such sale or forfeiture. The general assembly may provide that the holder of a tax title based on any tax sale hereafter made may waive claim of title to the land sold and be subrogated to the tax lien for which the sale was made and proceed in equity to foreclose such lien with additional penalties as provided by law.

Section 150. The general assembly shall not impose taxes (except income taxes as authorized in this article) in municipal corporations for corporate purposes but may vest the corporate authorities thereof with authority to assess and collect taxes for all corporate purposes and shall require that all the taxable property within the limits of municipal corporations shall be taxed for the payment of debts contracted under authority of law. Private property shall not be liable for such debts. Taxes imposed by municipal corporations shall be uniform as to persons and property.

FINANCE.

Section 151. All taxes levied for state purposes shall be paid into the state treasury.

Section 152. No payment of money belonging to or for the use of the state shall be held to be made to any officer of the executive department until evidenced by the receipt of the state treasurer.

Section 153. Each general assembly shall make appropriations for the expenses of the government for a period of two years from the first day of July of the year in which it convenes. After such appropriations have been made the aggregate amount thereof shall not be increased except by a vote of two-thirds of the members elected to each house.

All appropriations for any such two year period shall end with the period except that obligations incurred during the period may be paid within three months thereafter.

Section 154. No money shall be drawn from the state treasury except under an appropriation made by law and on presentation of a warrant issued by the auditor of public accounts.

Section 155. The state may contract debts (a) for meeting casual deficits in revenue up to one million dollars, (b) for defense in war, suppressing insurrection or repelling invasion, (c) for the deep waterway as provided in this constitution.

Money so borrowed shall be applied only to the purpose for which it is obtained or for the payment of the debts thus created.

No other debt shall be contracted by the state unless the law authorizing it is approved by a majority of those voting for representatives at a general election. The general assembly shall provide for the publication of any such law for at least three months before the election. Provision shall be made when the debt is contracted for the annual payment of interest either by a tax to be levied for the purpose or by setting aside other revenues. Any law providing for such tax shall be submitted in like manner with the law authorizing the debt and if approved shall be irrepealable.

Section 156. No county, town or school district shall become indebted in the aggregate including its existing debt to an amount exceeding five per cent and no municipal corporation to an amount exceeding six per cent, of the value of the taxable property therein as ascertained by the last assessment for state and county taxes previous to incurring the debt. The corporate body incurring any such debt before or at the time of doing so shall provide for the collection of a direct annual tax sufficient to pay the interest on the debt and to pay the principal thereof in substantially equal annual installments within twenty years. But provision may be made before or at the time of incurring the debt for the payment of any part of it before maturity. This section shall not apply to or within the county of Cook.

Section 157. Except as otherwise provided in this constitution the money or credit of the state shall never be used in aid of any public or private corporation, association or person.

Section 158. Claims against the state under agreements made without express authority of law shall be void except claims for expense incurred for defense in war, suppressing insurrection or repelling invasion.

Section 159. Except in payment of temporary rent, of temporary hospital service, of purchase price or (in the event and only in the event that public institutions or agencies are not adequate or available) of not to exceed the cost of temporarily maintaining and supporting during their terms of commitment, neglected, defective, dependent or delinquent persons committed by courts of competent jurisdiction to institutions or agencies under public inspection, no public money shall be paid or other public property be given or applied for any sectarian purpose or to any institution controlled by a church or sect.

ARTICLE VIII.

Local Governments.

COUNTIES.

Section 160. In each county the following county officers shall be elected: a sheriff, a county clerk, a treasurer who shall be *ex officio* collector of taxes until otherwise provided by law, a coroner, a clerk of the circuit court and, in counties of sixty thousand population or more, a recorder of deeds.

Section 161. In each county there may be a county superintendent of schools whose qualifications, time and manner of election or appointment, term of office, powers, duties and compensation shall be prescribed by law.

Section 162. The sheriff, the county clerk and the treasurer shall be elected in nineteen hundred twenty-six and every four years thereafter and the coroner, the clerk of the circuit court and the recorder of deeds in nineteen hundred twenty-four and every four years thereafter, each for a term

of four years. In counties not under township organization a commissioner shall be elected in nineteen hundred twenty-three and each year thereafter for a term of three years. The term of every elective county officer shall begin on the first Monday of December next after his election.

Section 163. The board of supervisors in counties under township organization, the county commissioners of the county of Cook and the county commissioners in counties not under township organization shall constitute the county board of their respective counties.

Section 164. No elected county treasurer shall succeed himself.

Section 165. Fees of county and town officers, as provided by law, shall be uniform as to classes of counties or towns and for this purpose there shall not be more than three classes of counties.

Section 166. The organization and government of and offices in counties as provided in this constitution may be changed by law uniform as to classes of counties; but any such law shall become effective in a county only after approval by a majority of those voting on the question.

Section 167. No county may abandon or adopt any form of organization unless a majority of those voting on the question shall approve the change.

Section 168. No county shall be changed in area unless the change is approved by a majority of those voting on the question in each county and each part affected. Any territory taken from a county shall be liable for its proportion of the debt of such county.

Section 169. No county seat shall be removed unless three-fourths of those voting on the question shall approve the removal to the place designated except that a majority only shall be required to remove a county seat nearer to the center of the county. No person shall vote on the question unless he has resided in the election precinct ninety days and in the county six months next preceding the election. Such question shall not be submitted oftener than once in ten years.

COUNTIES OTHER THAN THE COUNTY OF COOK.

Section 170. There shall be an assessor in each county to be selected as provided by law. The county clerk shall be *ex officio* clerk of the county court. In counties of less than sixty thousand population the clerk of the circuit court shall be *ex officio* recorder of deeds. In counties of fifty thousand population or more an auditor may be selected as provided by law.

Section 171. The compensation of all county officers (except the county superintendent of schools) and the number and compensation of their employees shall be fixed by the county board and paid by the county treasurer on the order of the county board.

Section 172. No county shall be so created or reduced as to contain less than four hundred square miles nor shall any part of a county within ten miles of its seat be taken for a new county.

Section 173. Unless authorized by a majority of those voting at an election no county shall levy taxes in excess of three-fourths of one per cent of valuation. But in case a county is made the unit for the levy and collection of taxes for road and bridge purposes an additional amount not exceeding three-fourths of one per cent of valuation for such purposes may be levied which may be increased when authorized by a majority of those voting at an election.

This and the three preceding sections shall not apply to the county of Cook.

COUNTY OF COOK.

Section 174. The county business of the county of Cook shall be transacted by a board of fifteen commissioners ten of whom shall be elected from the city of Chicago and five from the rest of the county.

Section 175. Each county officer in the county of Cook shall receive as his sole compensation a salary to be fixed by law. Such salary shall be less than the compensation of a judge of the circuit court of the county. The circuit court by rule entered of record shall determine the number and the county board shall determine the compensation of deputies and assistants of

the sheriff, treasurer, coroner, recorder of deeds and clerk of the circuit clerk.

Section 176. The general assembly may consolidate with the city of Chicago the portion of the county of Cook lying within the city. Any law providing therefor shall adjust the powers, offices, rights and liabilities of the county (both in the portion within the city and in the portion outside the city) and may either devolve them in whole or in part upon the city or provide otherwise for their exercise and assumption. Whenever the entire powers of any office are taken away the office shall be abolished. No such law shall take effect until approved both in the city of Chicago and in the portion of the county lying outside the city by a majority of those voting on the question.

Section 177. Unless authorized by a majority of those voting on the question at an election the county of Cook shall never levy taxes in excess of three-fourths of one per cent of valuation except such additional taxes as may have been authorized prior to the adoption of this constitution.

CITY OF CHICAGO.

Section 178. Except as expressly prohibited by law the city of Chicago is hereby declared to possess for all municipal purposes full and complete power of local self-government and corporate action. This grant of power shall be liberally construed and no power of local self-government or corporate action shall be denied the city by reason of not being specified herein. The city however may impose taxes and borrow money only as authorized by law.

Until otherwise provided by the city charter the powers heretofore granted the city shall be preserved and exercised in accordance with law and the additional powers granted by this section shall be exercised by or in accordance with city ordinances.

Section 179. The legislative authority of the city of Chicago from time to time and after approval of the proposition at an election in such manner as it may provide, may call an elective convention to frame a new city charter or to revise or amend any existing charter. The proposals of any such convention shall be substituted to the voters for adoption in the manner provided by it. Subsequent amendments may also be proposed and submitted to the voters in such manner as the charter may provide. State election laws and the powers and duties existing thereunder shall be available for the purposes of this section.

The charter so framed, revised or amended and ordinances passed thereunder shall prevail over state laws so far as the organization of the city government, the distribution of powers among its official agencies and the tenure and compensation of its officers and employees are concerned.

Rates of compensation as well as conditions of appointment and promotion in the classified civil service of the city shall be determined according to a general plan which shall recognize merit and fitness as controlling principles.

A certified copy of such charter or any amendment thereto shall be filed with the secretary of state within thirty days after its adoption.

Section 180. The city of Chicago shall have power to take or damage private property (including public utilities and the privileges or licenses held in connection therewith) for public use in accordance with law.

Section 181. The city of Chicago, subject to regulation by general law, may own, require, construct, operate, sell, pledge, lease or let public utilities or buy or sell the service thereof.

Section 182. The general assembly may enact local or special laws relating to the municipal affairs of the city of Chicago but such laws shall not take effect until the city consents. A law which at the time of its enactment is applicable to the municipal affairs of no other city than the city of Chicago shall be deemed a local or special law.

Section 183. The consent of the city of Chicago whenever required by this article shall be expressed by ordinance but the general assembly, the city charter or the ordinance may prescribe in addition approval of the ordinance by the voters.

Section 184. The consent of the city of Chicago shall be required for the creation, enlargement or consolidation of any municipal corporation (except a county) exercising taxing powers within the city or for any increase of the taxing powers of any such municipal corporation hereafter created or enlarged. No ordinance expressing consent to the creation, enlargement or consolidation of any municipal corporation shall take effect until ninety days after its enactment and if within that time either five thousand voters or one-third of the legislative authority of the city petition that body to submit the question at an election the ordinance shall not take effect until approved by a majority of those voting on the question.

Section 185. The charter framed, revised or amended under section one hundred seventy-nine of this constitution may provide:

(a) For the consolidation with the city of Chicago of any or all local governments or other authorities (in whole or in part) now or hereafter exercising powers confined to the city limits; and also of that part of any town (partly within and partly without the city) now or hereafter lying within the city limits. After consolidation with the city of any town (or part thereof) the powers of all officers therein relating to collection of taxes shall be exercised by the county treasurer until otherwise provided by law.

(b) For the consolidation with the city of Chicago of the Sanitary District of Chicago and the Forest Preserve District of Cook County, or either of them. No consolidation of either of such districts shall take effect until approved at an election by a majority of those voting on the question both in the district and in the city. The question of consolidation of either district shall be submitted to the voters thereof as a separate proposition and the election officials responsible for conducting elections therein shall submit the question in the manner provided by the charter. The city shall exercise no taxing power outside its limits by virtue of consolidating either district. Upon consolidation of the Sanitary District of Chicago with the city of Chicago and until otherwise provided by law, the city shall furnish without charge sewage disposal service beyond its limits in the district, to the extent then furnished by the district; and the city may be required by law to furnish at cost additional or increased sewage disposal service in such territory. All duties or obligations imposed by law at the time of such consolidation for the benefit of the inhabitants of such territory or any part thereof upon the city or the Sanitary District of Chicago with respect to other forms of service shall be assumed by the city unless it is relieved therefrom by the general assembly.

Any authority consolidated with the city of Chicago under this section shall be abolished and the city shall succeed to all the powers, property and liabilities thereof. If any consolidation proposed under this section fails to be approved at any election, the question may be resubmitted from time to time in the manner provided by the charter.

Section 186. After any consolidation authorized by the foregoing section has taken effect and until a new tax rate is fixed by law, the city of Chicago may levy an additional annual tax equal to the amount of taxes caused to be extended by the authority so consolidated upon the collector's warrants in the year last preceding consolidation.

Section 187. The rights of the city of Chicago under the Act for the Consolidation of Local Governments, approved June twenty-ninth, nineteen hundred fifteen or any amendment thereof are not affected by this article.

Section 188. The general assembly may provide other methods for consolidating local authorities with the city of Chicago subject to its consent.

Section 189. After any consolidation authorized by this article has taken effect the city of Chicago may become indebted in the aggregate up to seven per cent of the full value of the taxable real property therein as ascertained by the by the last assessment for state and county taxes previous to incurring the debt. In computing such aggregate amount there shall be included the existing indebtedness of the city and of all municipal corporations within the city and also the city's proportionate share (determined according to valuation of taxable real property) of the existing

indebtedness of all municipal corporations partly within and partly without the city.

Section 190. Neither the county of Cook nor any city, town, school district or other municipal corporation in the county shall become indebted in the aggregate including its existing debt to an amount exceeding seven per cent of the value of the taxable real property therein as ascertained by the last assessment for state and county taxes previous to incurring the debt. The corporate body incurring any such debt, before or at the time of so doing, shall provide for the collection of a direct annual tax sufficient to pay the interest on the debt and to pay the principal thereof in equal annual installments within twenty years. But provision may be made at the time of incurring the debt for the payment of any part of it before maturity.

Section 191. The city of Chicago shall incur no new bonded indebtedness (except for refunding purposes) without the approval at an election of a majority of those voting on the question.

Section 192. The city of Chicago may issue bonds (in addition to any debt otherwise permitted by this constitution) for the purpose of acquiring, leasing, constructing or operating income-producing property for supplying transportation or water. At or before the time of issuing any such bonds the city shall provide for the collection of a direct annual tax sufficient to pay the interest thereon and the principal thereof within forty years. Unless otherwise provided in the ordinance authorizing the issuance of any bonds for financing any such income-producing public utility, such bonds shall be held to be issued under the foregoing provisions of this section.

The city having issued bonds under the provisions of this section, thereafter, at least four months before any tax for the payment of the principal and interest of any such bonds or for the payment of the principal and interest of any other indebtedness incurred for financing the same utility becomes collectible by law, shall deposit with the city treasurer, out of the gross earnings or the rentals of the utility for financing which the debt to be discharged by any such tax was incurred, a sum equal in amount to such tax. The money so deposited shall be used only to pay such principal and interest. To the extent that such funds are deposited prior to the collection of any such tax it shall not be collected.

The city having issued bonds under the provisions of this section shall thereafter establish and maintain such rates or charges for the service supplied or such rentals if the property is let for private operation as may be necessary to provide at least sufficient revenue to pay (a) the principal and interest of all outstanding bonded or other indebtedness incurred for financing such utility and (b) the cost or expense involved in or incidental to the ownership, operation or maintenance of such utility, including taxes, assessments and reserves for repairs and renewals necessary to maintain the property in first-class condition.

Any taxpayer of the city shall have the right, which shall not be exclusive in him, to enforce the provisions of this section by appropriate proceedings in the circuit court of the county. That court shall enforce the provisions of this section and for such purpose shall have all necessary powers including the power to regulate the service supplied by any such utility.

Section 193. Each issue of bonds or other securities by the city for financing any income-producing public utility shall be payable in substantially equal annual installments of principal and interest combined, beginning not more than five years from the date thereof. But provisions may be made at the time of incurring the debt for the payment of any part of it before maturity. No such bonds or other securities shall be issued without the approval at an election of a majority of those voting on the question. The city of Chicago if it owns or operates any such public utility shall conform to the same requirements for keeping accounts and for the audit thereof and for making reports as are prescribed by law for a like utility privately owned.

If the city of Chicago constructs or acquires a subway or other property for transportation purposes, it may let the property to an operating company

but only for such period of time as may be approved at an election in the city by a majority of those voting on the question.

Publicly owned income-producing property of the city of Chicago (or of any local government or authority exercising powers within the limits of the city) used for supplying transportation shall be taxed in the same manner as privately owned property used for a like purpose, notwithstanding any other provision in this constitution.

Laws may be passed in aid of this and the preceding section.

ARTICLE IX.

Public Servants.

Section 194. An office is a public position created by the constitution or law continuing during the pleasure of the appointing power or for a fixed time with a successor elected or appointed. An employment is an agency for a temporary purpose which ceases when that purpose is accomplished.

Section 195. To hold any public office a person shall be a citizen of the United States, resident in this state one year and able to read and write the English language.

Section 196. No person shall hold any public office who has been convicted of an infamous crime or is in default as collector or holder of public money or if he holds any office under the United States (except as a postmaster whose annual compensation does not exceed three hundred dollars) or under a foreign government.

Section 197. All civil officers except members of the general assembly and such inferior officers as may be exempted by law, before they enter upon the duties of their respective offices shall take and subscribe the following oath or affirmation:

I do solemnly swear (or affirm) that I will support the constitution of the United States and the constitution of the State of Illinois and that I will faithfully discharge the duties of the office of..... to the best of my ability.

No other oath, declaration or test shall be required as a qualification.

Section 198. All public officers shall hold office until their successors have qualified.

Section 199. No public officer shall have his term extended by law after his election or appointment.

Section 200. No legislative, executive or judicial officer and no officer of any county shall receive to his own use any fees, fines, costs, perquisites, percentages, interest, benefits, emoluments or allowances.

Section 201. No public officer shall have his compensation increased or diminished during his term.

Section 202. No extra compensation or allowance shall be given by law to any public officer, employee or contractor after service has been rendered or contract made.

Section 203. Every public officer shall make a report under oath at least semiannually to some official to be designated by law of all fines, fees, costs, perquisites of office or public moneys collected. Every such officer shall pay at least monthly to some official designated by law all public moneys and interest thereon received by or for him.

Section 204. No officer of this state shall be beneficially interested directly or indirectly in any contract with the state.

No officer of any subdivision of the state or of any municipal corporation or of any board or commission shall be beneficially interested directly or indirectly in any contract with the particular body of which he is an officer.

Section 205. No statute of limitation shall begin to run in favor of a public officer until an audit of his accounts has been made as provided by law.

Section 206. Any public officer or employee or his beneficiary may be given by law a vested interest in the accumulated portion of any death,

disability or retirement fund to which he is required by law to contribute a part of his compensation; but such interest shall attach only to the fund accumulated and shall impose no obligation on the state to create or maintain such fund.

Section 207. All laws of the State of Illinois and all official writings and legislative, executive and judicial proceedings shall be conducted, preserved and published in no other than the English language; but this shall not prevent the use of abbreviations in the files and records of judicial proceedings.

ARTICLE X.

Eductaion.

Section 208. The general assembly shall provide a thorough and efficient system of free schools whereby all children of this state may receive a good common school education.

Section 209. The general assembly shall make adequate provisions for the maintenance and development of the University of Illinois and the system of state normal schools.

Section 210. Property received for public education and the proceeds of such property shall not be diverted to another purpose except that by consent of the school officers holding legal title special assessments may be levied on school property.

Section 211. No school officer shall be financially interested in any contract concerning any school with which he is connected or in any book, apparatus or furniture used in such school.

ARTICLE XI.

Militia.

Section 212. The militia of the State of Illinois shall consist of all able-bodied male persons resident in the state between the ages of eighteen and forty-five, except such persons as now are or hereafter may be exempted by the laws of the United States or of this State. No person, because of conscientious scruples against bearing arms, shall be exempted by the laws of this state from any military service declared by the governor to be non-combatant.

Section 213. All militia officers shall be commissioned by the governor and may hold their commissions for such time as the general assembly may provide.

Section 214. Members of the organized militia in all cases except treason, felony or breach of the peace shall be privileged from arrest during their attendance at and in going to and returning from musters and military elections.

Section 215. The military records, banners and relics of the state shall be preserved as enduring memorials of the patriotism and valor of the men of Illinois.

ARTICLE XII.

Warehouses and Common Carriers.

Section 216. Elevators and storehouses where property is stored for compensation are public warehouses.

Section 217. The manager of every public warehouse in cities of over one hundred thousand population, or such population as may be provided by law, shall post conspicuously each week in the office of the warehouse a sworn statement of the amount and grade of grain and also of the other property stored therein and of the warehouse receipts outstanding and shall file a copy of the statement in a place designated by law. Changes in quantity and grade of grain stored shall be noted daily upon the statement

in the warehouse. Unless the owner or consignee consents different grades of grain shipped in separate lots shall not be mixed.

Section 218. The holder of a public warehouse receipt may always examine the property and the warehouse records thereof.

Section 219. Railroads and other common carriers shall, at the point of shipment, weigh or measure and receipt for the full amount of grain and deliver it to the consignee or owner.

Section 220. Railroads shall deliver grain to any consignee who can be reached by an available track and shall permit connections so that any public warehouse, coal bank or coal yard may be reached by cars.

Section 221. It shall be the duty of the general assembly to pass all necessary laws to prevent the issue of false and fraudulent warehouse receipts and give full effect to this article which shall be liberally construed to protect producers and shippers. The enumeration of remedies herein shall not be construed to deny to the general assembly the power to prescribe by law such other remedies as may be found expedient or to deprive any person of existing common law remedies.

Section 222. The general assembly shall pass laws for the inspection of grain and for the protection of producers, shippers and receivers of grain and produce.

Section 223. Railroads are hereby declared public highways and shall be free to all for the transportation of persons and property under such regulations as may be prescribed by law. The general assembly shall from time to time pass laws establishing reasonable maximum rates for the transportation of passengers and freight thereon.

Section 224. The general assembly shall pass laws to correct abuses and prevent unjust discrimination and extortion in the rates of freight and passenger tariffs on the different railroads in this state and enforce such laws by adequate penalties to the extent if necessary of forfeitures of their property and franchises.

Section 225. Nothing in the two preceding sections shall be construed to limit the powers of the general assembly.

Section 226. The owner shall retain the fee of land taken for railroad tracks without his consent.

Section 227. Rolling stock and other movable property of common carriers shall be subject to execution sale.

ARTICLE XIII.

CANALS AND WATERWAYS.

Section 228. In addition to the proceeds of the twenty million dollars of bonds heretofore authorized for the deep waterway, ten million dollars may be expended therefor and all or part thereof secured by issuing bonds. The state shall make no other expenditure for any canal or waterway or appurtenance thereto except from the income thereof unless the expenditure is approved by a majority of all those voting at a general election.

Section 229. Except as provided in this article no waterway or canal owned or improved by the state shall be sold or leased until the proposition therefor is approved by a majority of those voting at a general election.

Section 230. The general assembly may authorize the lease of the Illinois and Michigan Canal or any part thereof to provide terminals in connection with the Illinois Waterway or other navigable channels. Such terminals shall be for public use without discrimination.

Section 231. Leases of state canals and waterways and of state property held in connection therewith including water power shall be subject to revaluation every twenty years.

ARTICLE XIV.

Amendments to the Constitution.

Section 232. Whenever two-thirds of the members of each house of the general assembly by a vote entered upon the journals concur that a convention is necessary to revise, alter or amend the constitution, the question shall be submitted to the electors at the next general election. If a majority voting at the election vote for a convention, the general assembly at the next session shall provide for a convention to consist of twice the number of members of the senate to be elected in the same manner, at the same places and in the same districts as senators, plus seven members to be elected at large from the county of Cook. The general assembly in the act calling the convention shall designate the day, hour and place of its meeting, fix the pay of its members and officers and provide for their payment and for the expenses necessarily incurred by the convention in the performance of its duties. Before entering upon their duties the members shall take an oath to support the constitution of the United States and the constitution of Illinois and to discharge faithfully their duties as members of the convention. The qualifications of members shall be the same as those of senators and vacancies shall be filled in the manner provided for filling vacancies in the general assembly. The convention shall meet within three months after the election and prepare such revision, alteration or amendments of the constitution as it deems necessary. Such revision, alteration or amendments shall be submitted to the electors for their ratification or rejection at an election appointed by the convention for that purpose not less than two months not more than six months after its adjournment. Unless so submitted and approved by a majority of those voting at the election no such revision, alteration or amendment shall take effect.

Section 233. Amendments to the constitution may be proposed in either house of the general assembly and if voted for by two-thirds of the members elected to each house such proposed amendments together with the yeas and nays of each house thereon shall be entered in full upon their respective journals. Such amendments shall be submitted in the manner prescribed by law to the electors for adoption or rejection at the next election for members of the general assembly and shall be published in full at least three months before the election. If electors equal in number to a majority of the votes cast for members of the house of representatives vote for the proposed amendments they shall become part of the constitution. The general assembly shall not propose amendments to more than two articles of the constitution at the same session nor to the same section oftener than once in four years.

SCHEDULE.

That no inconvenience may arise from the alterations and amendments made to the constitution of this state and to carry them into effect it is hereby ordained and declared:

Section 1. All laws in force at the adoption of this constitution not inconsistent therewith and all rights, actions, prosecutions, claims and contracts of this state or of individuals or of bodies corporate shall continue to be as valid as if this constitution had not been adopted.

Section 2. All fines, taxes, penalties and forfeitures due this state under the present constitution and laws shall inure to the people of this state under this constitution.

Section 3. Recognizances, bonds, obligations and all other instruments entered into before the adoption of this constitution to the people of this state or to any subdivision thereof or to any municipal corporation or to any public officer shall remain binding and valid. All crimes and misdemeanors shall be tried and punished as if no change had been made in the constitution of this state.

Section 4. All persons now holding offices or appointments shall continue the exercise of the duties thereof according to their respective com-

missions or appointments unless otherwise directed by this constitution or other law.

Section 5. Except as otherwise provided in this constitution and subject to such changes in their duties as are prescribed therein, all persons elected to office at the election in November, nineteen hundred twenty-two, shall continue in office during the terms for which they are respectively elected.

Section 6. In order that elections may be held regularly in November it is hereby provided as follows:

All officers elected to office prior to the election in November, nineteen hundred twenty-three, whose terms expire before that time shall hold office until their terms expire as now provided by law and at the expiration of their respective terms their successors shall be elected at that time to hold office during the regular terms provided by law and until their successors are elected at the next ensuing November election.

All officers elected to office prior to the election in November, nineteen hundred twenty-three, whose terms expire after that date and who are elected at other times than at the November election shall hold office for the terms for which they are elected and until their successors are elected at the next ensuing November election.

This section shall not apply to or within the county of Cook.

Section 7. The first apportionment for senators after the adoption of this constitution shall provide that three of the additional senators shall be elected at the first election for terms of two years and the other three additional senators for terms of four years.

Section 8. On the day this constitution is submitted to the people for ratification an election shall be held for a justice of the supreme court in the first judicial district designated by this constitution. Every person in that judicial district who is entitled to vote for this constitution shall be entitled to vote for such justice. The election shall otherwise be conducted, returns made and certificate of election issued in accordance with existing laws. If it appears upon the canvassing of the votes for and against this constitution that this constitution is not adopted, then no certificate of election shall be issued for such justice. If he is elected and commissioned, such justice shall hold office until the first Monday of June, nineteen hundred thirty-three. He shall not enter upon the discharge of his duties until the first Monday of June, nineteen hundred twenty-four, unless prior to that time there is a vacancy in the supreme court from any district, in which case he shall fill such vacancy until the first Monday of June, nineteen hundred twenty-four.

When the term of office of the justice residing in the second district under this constitution (elected from the sixth district under the constitution of eighteen hundred seventy) expires on the first Monday of June, nineteen hundred twenty-four, his office shall cease to exist.

Successors to the justices now in office shall be elected on the first Monday of June in the years in which their respective terms expire. One justice for the first district shall be elected for a term to expire on the first Monday in June, nineteen hundred thirty-five; a justice for the fifth district shall be elected for a term to expire on the first Tuesday after the first Monday in November, nineteen hundred thirty-five; justices for the fourth and sixth districts shall be elected for terms to expire on the first Tuesday after the first Monday in November, nineteen hundred thirty-three; a justice for the third district shall be elected for a term to expire on the first Tuesday after the first Monday in November, nineteen hundred thirty-seven; and a justice for the second district shall be elected for a term to expire on the first Tuesday after the first Monday of November, nineteen hundred thirty-nine. After the expiration of their terms as fixed in this schedule, the term of each justice shall be ten years from the day of his election. Thereafter the justices from the first district shall be elected on the first Monday of June in the years in which their terms expire and the justices from the second, third, fourth, fifth and sixth districts shall be elected on the first Tuesday after the first Monday in November in the years in which their terms expire.

Section 9. The clerk of the supreme court and the clerks of the appellate courts in office at the time of the adoption of this constitution shall continue to hold office during the terms for which they are respectively elected.

Section 10. The judges of the circuit and superior courts of Cook county now serving as judges of the appellate court of the first district and its branches shall become judges of the appellate court of the first district under this constitution to hold office until January first, nineteen hundred twenty-nine. The judges of the appellate court of the second district, the appellate court of the third district and the appellate court of the fourth district under this constitution shall be appointed by the supreme court as soon as may be after the adoption of this constitution to hold office until January first, nineteen hundred twenty-eight.

Section 11. Until otherwise provided by law judges of the appellate court of the first district shall each receive the same salary as is paid a judge of the circuit court of Cook county and judges of the appellate courts of the second, third and fourth districts shall each receive a salary of eight thousand five hundred dollars per annum. Such salaries shall be payable in the same manner, at the same time and from the same sources as the salaries of judges of the circuit courts within such districts respectively.

Section 12. On the seventh day of May, nineteen hundred twenty-three, the circuit, superior, criminal, county and probate courts of Cook county, the municipal court of Chicago and the city court of Chicago Heights shall be consolidated into one court to be known as the circuit court of Cook county and thereupon all such courts except that last mentioned shall be abolished. The offices of judge and clerk of the city court of Chicago Heights shall thereupon be abolished.

Section 13. The judges of the circuit, superior, county and probate courts of Cook county and the chief justice of the municipal court of Chicago in office on the seventh day of May, nineteen hundred twenty-three (except the judges of the circuit and superior courts of Cook county made judges of the appellate court of the first district by the adoption of this constitution whose offices as judges of the circuit and superior courts of Cook county thereby cease to exist) shall be judges of the circuit court of Cook county as thus consolidated and shall continue to hold office during the terms for which they are respectively elected or appointed and until their successors are elected and qualified. The associate judges of the municipal court of Chicago in office on the seventh day of May, nineteen hundred twenty-three, shall be associate judges of the circuit court of Cook county as thus consolidated and shall continue to hold office during the terms for which they are respectively elected or appointed and until the first Monday of June next following, respectively, when their respective offices as associate judges of that court shall be abolished. There shall be elected to the office of judge of the circuit court of Cook county for terms of six years, except as hereinafter otherwise specifically provided, on the first Monday of June of the years following:

In nineteen hundred twenty-three, nine judges as successors to the judges whose terms expire in that year;

In nineteen hundred twenty-five, one judge as successor to the judge whose term expires in nineteen hundred twenty-four and one judge as successor to the judge whose term expires in nineteen hundred twenty-five, together with eight additional judges;

In nineteen hundred twenty-seven, two judges as successors to the judges whose terms expire in the year nineteen hundred twenty-six, seventeen judges as successors to the judges whose terms expire in the year nineteen hundred twenty-seven;

In nineteen hundred twenty-seven, eight additional judges for terms of four years; and

In nineteen hundred twenty-nine, four judges as successors to the judges whose terms expire in the year nineteen hundred twenty-eight, nine judges as successors to the judges whose terms expire in the year nineteen hundred

twenty-nine, together with eight additional judges, one of whom shall hold office for the term of two years.

Section 14. Such associate judges of the circuit court of Cook county shall perform such judicial duties as may be assigned to them in the classes of cases which would have been within the jurisdiction of the criminal court of Cook county at the time of the adoption of this constitution and also in the classes of cases arising in the county of Cook which would have been within the jurisdiction of the municipal court of Chicago if they had arisen in the city of Chicago prior to the adoption of this constitution. During their respective terms of office as such associate judges they shall receive the salaries allowed them by the laws in force on the first day of May, nineteen hundred twenty-two, one-half of which shall be payable out of the state treasury and one-half out of the treasury of the county of Cook.

Section 15. The judges of the circuit courts in each circuit (other than the county of Cook) in office at the time of the adoption of this constitution shall continue to hold office during the terms for which they are elected or appointed and until their successors are elected and qualified.

Section 16. The judge of the county court of Cook county in office at the time of the adoption of this constitution shall continue to exercise during his term of office or until otherwise provided by law the same control and supervision over all matters of election as now provided by law. The general assembly prior to July first, nineteen hundred twenty-five, shall provide that all such authority and supervision shall devolve upon some elective county officer or officers.

Section 17. On the third day of December, nineteen hundred twenty-three, the county and probate courts in each county (other than the county of Cook) where both exist shall be consolidated into one court to be known as the county court.

Section 18. The judges of the county and probate courts (in counties other than the county of Cook) in office on the third day of December, nineteen hundred twenty-three, shall be judges of the county court as thus consolidated, at which time the office of judge of the probate court or probate judge shall be abolished. They shall hold office during the terms for which they were elected and until their successors are elected and qualified.

Counties having a population of less than seventy-five thousand, which have a county judge and a probate judge at the time of the adoption of this constitution, shall elect in nineteen hundred twenty-seven two county judges.

Section 19. Unless the general assembly prior to the third day of December, nineteen hundred twenty-three, fixes the salaries of county judges and probate judges (other than those of the county of Cook) who are made judges of the county court as thus consolidated, the salaries of such judges after the date last mentioned and until otherwise provided by law shall be as follows: The present salary of each judge shall be increased to two thousand five hundred dollars in counties having a population of fifteen thousand or less, to four thousand dollars in counties having a population of more than fifteen thousand and less than forty thousand and to five thousand dollars in counties having a population of forty thousand or more. Each county shall continue to pay the present salaries until the whole of such salaries becomes payable out of the state treasury as provided in this Constitution. Until that time the increases of salaries provided herein shall be payable monthly out of the state treasury. The word population as used in this section means the population as shown by the Federal census of nineteen hundred twenty.

Section 20. The provisions of section one hundred twenty-eight of this constitution so far as they affect the judges of county and probate courts (outside of the county of Cook) shall not become effective until the third day of December, nineteen hundred twenty-three, unless the general assembly provides that increased salaries be paid prior to that date.

Section 21. The clerk of the circuit court of Cook county in office on the seventh day of May, nineteen hundred twenty-three, shall be clerk of

that court as consolidated by this schedule. The clerks of the superior, criminal, county and probate courts of Cook county and the clerk of the municipal court of Chicago on that date shall become associate clerks of the circuit court of Cook county to hold office for the terms for which they are respectively elected; and as near as may be they shall exercise the same powers (including those relating to the appointment and discharge of employees and to the collection and disbursement of moneys), perform the same duties and receive the same salaries as on the seventh day of May, nineteen hundred twenty-three. If a vacancy occurs in the office of clerk of the circuit court of Cook county prior to the election in November, nineteen hundred twenty-four, such vacancy shall be filled by a majority of the judges and associate judges of the circuit court of Cook county by appointing one of such associate clerks who shall hold office until the election in November, nineteen hundred twenty-four.

Section 22. The circuit court of each county, is hereby continued and on the first Monday of November, nineteen hundred twenty-seven, the circuit and city courts in each county (other than the county of Cook) where both courts exist shall be consolidated into one court to be known as the circuit court and thereupon the offices of judge and clerk of all such city courts shall be abolished.

Section 23. The offices of justice of the peace and constable existing at the time of the adoption of this constitution shall be abolished from and after the election or appointment and qualification of justices of the peace or constables in their respective districts, towns or portions of towns in accordance with the provisions of this constitution.

Section 24. The clerk of the county court of each county (other than the county of Cook) in office on the third day of December, nineteen hundred twenty-three, shall be clerk of the county court as consolidated by this schedule and the clerk of the probate court of each county (other than the county of Cook) having a probate clerk shall become the chief deputy county clerk of such county court during the term for which he is elected and at the salary received by him at the time of the adoption of this constitution; and as near as may be he shall exercise the same powers (including those relating to the appointment and discharge of employees and to the collection and disbursement of moneys) and perform the same duties as on the third day of December, nineteen hundred twenty-three. At the expiration of the terms of office of the probate clerks in office on the third day of December, nineteen hundred twenty-three, the office of probate clerk shall be abolished.

Section 25. The bailiff of the municipal court of Chicago in office on the seventh day of May, nineteen hundred twenty-three shall become associate sheriff of the county of Cook and hold office during the term for which he is elected. After the date last mentioned and during his term he shall receive the same salary and have as near as may be the same powers, duties and responsibilities as before that date, including the selection, appointment and removal of his employees and the collection and disbursement of moneys.

Section 26. Each court into which by the provisions of this constitution other courts are consolidated shall immediately upon such consolidation succeed to and assume jurisdiction of all causes, matters and proceedings then pending in all courts of which it is the successor, with full power and authority to dispose of them and to carry into execution or otherwise to give effect to all orders, judgments and decrees theretofore entered by the respective courts thus consolidated.

Section 27. From and after the first day of May, nineteen hundred twenty-three, and until otherwise provided by law, all matters of fees and costs connected with proceedings in the circuit court of Cook county shall be regulated by rules to be adopted by the supreme court.

Section 28. All judicial circuits established by law at the adoption of this constitution shall be preserved until changed by law.

Section 29. This constitution shall be submitted to the people of the State of Illinois for adoption or rejection at an election to be held on Tuesday the twelfth day of December, nineteen hundred twenty-two. The county clerks of the respective counties of this state shall give notice between the

first and tenth days of November, nineteen hundred twenty-two, in the manner required by law for notices of general elections that at such election this constitution will be submitted to the electors of this state for adoption or rejection.

Section 30. Every person entitled to vote under the provisions of existing laws shall be entitled to vote for the adoption or rejection of this constitution and such persons shall vote by ballot. Such election shall be conducted and the returns thereof made according to the laws now in force regulating general elections.

Section 31. The officers now required by law in the case of general elections to provide election supplies for each precinct or district shall provide in the manner now required by law for conducting general elections all necessary poll books, tally sheets, forms of return, ballots and supplies for such election.

Section 32. The ballots to be used at such election shall be substantially in the following form:

PROPOSED NEW CONSTITUTION ELECTION BALLOT.

SHALL THE PROPOSED NEW CONSTITUTION BE ADOPTED	YES	
	NO	

Section 33. The elector shall designate his vote by a cross mark thus, X, to be placed in one of the squares on the right-hand margin of the ballot.

Section 34. The ballots cast for and against this constitution shall be received and canvassed by the judges and clerks of such election and returned as provided by law for general elections.

Section 35. Within fifteen days after such election, returns thereof shall be made by the several county clerks to the secretary of state which shall show (a) the aggregate number of electors voting in each county, (b) the aggregate number of votes cast for the adoption of this constitution and (c) the aggregate number of votes cast against the adoption of this constitution. Such returns shall within ten days thereafter be examined and canvassed by the secretary of state, the attorney general, the state treasurer and the auditor of public accounts or any three of them in the presence of the governor and proclamation shall be made by the governor forthwith of the result of the canvass. If it appears that a majority of the votes cast are for the adoption of the new constitution it shall be the supreme law of the State of Illinois on and after twelve o'clock noon of Monday, the fifteenth day of January, nineteen hundred twenty-three, and the existing constitution shall thereupon cease in all its provisions.

Respectfully submitted,

ELAM L. CLARKE,
Chairman of the Committee.

The report of the committee was ordered printed and placed on the general orders.

Pending discussion, at the hour of 11:35 o'clock p. m., Mr. Hamill moved that the Convention do now adjourn.

The motion was lost.

And the Convention refused to adjourn.

The Convention proceeding upon the consideration of Report No. 23, of the Committee on Phraseology and Style, the point of order was raised that the report of the committee had not yet been printed, whereupon Mr. Taff moved that the rules be suspended for the purpose of immediately considering the report.

The question being on the motion to suspend the rules, a division of the Convention was had, resulting as follows: Yeas, 11; nays, 44.

And the motion was lost.

Mr. Davis moved that when the Convention adjourns today it stand adjourned until 9:00 o'clock a. m., tomorrow.

And the motion prevailed.

Mr. Goodyear offered the following resolution and moved its adoption:

RESOLUTION No. 39.

WHEREAS, It has come to the knowledge of this Convention that Mrs. Ida Moore Small, wife of the Honorable Len Small, Governor of Illinois, died at her home in the City of Kankakee, on Monday, June twenty-sixth, nineteen hundred twenty-two; therefore, be it

Reseolved, That this Convention express its sympathy to Governor Small and his family and that the President of the Convention appoint a committee of Delegates to represent this Convention at the funeral of Mrs. Small; and, be it further

Resolved, That this preamble and resolution be spread on the records of the Convention; that a suitably engrossed copy thereof be forwarded to the family, and as a further mark of respect and esteem that the Convention do now adjourn.

The resolution was unanimously adopted by a rising vote, and in conformity thereto the President announced the appointment of the following Delegates as the committee to attend the funeral: Messrs. Goodyear, C. D. Cary, Fifer, Shanahan, O'Brien, Adamkiewicz, E. H. Dupee, Sneed, Lindly, Barr, Carlstrom and Coolley.

And at the hour of 11:45 o'clock p. m., in accordance with the motion heretofore entered, the Convention stood adjourned until 9:00 o'clock a. m., tomorrow.

WEDNESDAY, JUNE 28, 1922, 9:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by the Rev. W. H. Penhollegon, of the First Presbyterian Church, of Decatur.

The Journal of Thursday, June 22d, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

In accordance with the resolution adopted April 25th, the Secretary called the roll of the Convention, which resulted as follows: Present, 59.

Those voting present are: Messrs.

Adams	Dawes	Green	Mack	Sneed
Adamkiewicz	Dietz	Hamill	Meinert	Sutherland
Barr	Dryer	Hogan	Mills	Taff
Brenholt	Dunlap	Hull	Moore	Todd
Carlstrom	Dupuy, G. A.	Ireland	Nichols	Torrance
Catron	Elting	Jack	O'Brien	Trautmann
Chew	Fifer	Jarman	Pinnell	Wall
Clarke	Fyke	Johnson, L. C.	Rinaker	Warren
Corlett	Garrett	Johnson, W. A.	Scanlan	Whitman
Cruden	Gilbert	Kerrick	Shanahan	Wilson
Cutting	Goodyear	Lill	Shuey	Mr. President
Davis	Gray	Lindly	Smith	Present—59.

General Orders.

The Convention proceeding on the General Orders, the President called Mr. Clarke to the chair, who, in turn, called Mr. Rinaker to the chair.

And at the hour of 9:15 o'clock a. m., the Convention went into Committee of the Whole, for the consideration of Report No. 23, of the Committee on Phraseology and Style, on the revised Constitution as a unit.

At the hour of 4:40 o'clock p. m., the Convention resumed its session.

The President presiding.

Mr. Clarke, from the Committee of the Whole, having had under consideration Report No. 23, of the Committee on Phraseology and Style, reported the same back together with the following amendments thereto, to-wit:

PREAMBLE.

No change.

Article I.

BILL OF RIGHTS.

Section 8. Made a solid paragraph to read as follows:

Section 8. No person shall be held to answer for a capital offense unless on indictment of a grand jury. Offenses which may be punished

by imprisonment in the penitentiary may be prosecuted by indictment or on information filed by the attorney general or by a state's attorney. No such information shall be filed by a state's attorney except by leave granted, either in term time or in vacation, by a judge of a court of record having jurisdiction of the offense, after a showing of probable cause. All other offenses may be prosecuted as provided by law. This section shall not apply to cases of impeachment, cases arising in the army and navy and in the militia when in actual service in time of war or public danger.

No other change in the Bill of Rights.

Article II.

POWERS AND FORM OF GOVERNMENT.

No change.

Article III.

LEGISLATIVE DEPARTMENT.

Section 37. Made a single paragraph to read as follows:

Section 37. Appropriation bills to pay members, officers and employees of the general assembly shall contain no provision on any other subject. Appropriations for the offices of governor, lieutenant governor, secretary of state, attorney general, treasurer, auditor of public accounts and superintendent of public instruction shall be made by separate bills for each office.

Section 39. Made a single paragraph to read as follows:

Section 39. No subject matter shall be included in any conference committee report on an appropriation bill unless such subject matter directly relates to matters of difference between the houses and has been specifically referred to the conference committee. No report of any conference committee on an appropriation bill shall be considered and no appropriation bill shall be voted on unless the report and the bill in its final form have respectively been printed and placed on the desks of the members at least three legislative days before the report is considered or the bill is passed.

Section 44. The various clauses of the section were thrown into a solid paragraph. The following words from section 48, "Grant or change any corporate powers except those of educational, charitable, reformatory or penal corporations, under the patronage and control of the state." were made the last clause of section 44 and section 44 was made to read as follows:

Section 44. No local or special law shall grant divorces; change the names of persons or places; provide for opening, altering or working public highways; vacate highways, public grounds or town plats; regulate county or town affairs; create municipal corporations or amend their charters; provide for summoning or impaneling juries; provide for the management of common schools; regulate interest rates; regulate elections or designate places of voting; regulate the sale or mortgage of real estate of persons under disability; protect game or fish unless by reasonable classification of waters; authorize ferries or toll bridges; remit fines, penalties or forfeitures; change the law of descent; grant the right to construct railroad tracks; grant any special or exclusive privilege, immunity or franchise; or grant or change any corporate powers except those of educational, charitable, reformatory or penal corporations, under the patronage and control of the state.

Section 45. The last sentence of section 44 was made section 45 to read as follows:

Section 45. No special law shall be enacted if a general law can be made applicable.

Section 46. Section 45 was made section 46 to read as follows:

Section 46. Lotteries and gift enterprises are forbidden.

Section 47. Section 46 was made section 47 to read as follows:

Section 47. No liability due the state or any subdivision thereof or any municipal corporation shall ever be released or extinguished by law.

Section 48. Section 47 was made section 48 to read as follows:

Section 48. No officer shall be elected or appointed by the general assembly or by either house except their respective officers.

Part of section 48 was transferred to section 44 as above stated. The rest of section 48, being the first four words—"no special law may"—were stricken out.

Section 50. The words "person, corporation or association" are transposed, so that the section shall read as follows:

Section 50. No law shall be passed authorizing the labor of any convict confined within any penitentiary or other reformatory institution to be let to any corporation, association, or person.

Section 59. Was made a solid paragraph. The words "and the three preceding sections" were inserted after the word "section" in the last line. The section as revised reads as follows:

Section 59. The general assembly may provide (a) for opening private roads to communicate with public roads, (b) for permitting owners and lessees of lands and minerals to construct drains, ditches and levees on, across or under the lands of others for agricultural, sanitary or mining purposes, (c) for organizing drainage districts for flood control or for sanitary or agricultural purposes with powers of eminent domain and special assessment and (d) for making surveys and straightening and improving water courses at the expense in part of drainage districts and in part of the state or any subdivision thereof. This section and the three preceding sections shall not be construed as limitations of the powers of the general assembly.

Section 60. Insert the words "in fee simple" after the word "take" in the second line.

Article IV.

Executive Department.

Section 68 was made a solid paragraph to read as follows:

Section 68. The officers specifically named in section sixty-five of this constitution except the superintendent of public instruction shall be elected in nineteen hundred twenty-four and every four years thereafter. The superintendent of public instruction shall be elected in nineteen hundred twenty-six and every four years thereafter. The term of office of every such officer shall be four years from the second Monday of January next after his election.

Section 75 was made a solid paragraph to read as follows:

Section 75. The governor shall nominate and with the consent by yea and nay vote of a majority of those elected to the senate shall appoint all officers whose appointment or election is not otherwise prescribed by law. If a vacancy exists during the recess of the senate in any office where the appointing power is vested in the governor subject to the consent of the senate, the governor shall make a temporary appointment until the next meeting of the senate when he shall nominate some person for the office. No person rejected by the senate shall be nominated again for the office at the same session save on request of the senate or be appointed to the office during the recess of the senate.

Section 79 was made a solid paragraph to read as follows:

Section 79. If the office of governor becomes vacant the lieutenant governor shall become governor for the residue of the term. If the governor fails to qualify, is absent from the state or is under disability, the powers, duties and emoluments of the office shall devolve upon the lieutenant governor for the residue of the term or until the cause which renders the governor incapable of performing his duties is removed. If there is no lieutenant governor, or if for any of the above causes, he is incapable of performing the duties of the office, its powers, duties and emoluments shall devolve, first upon the president of the senate and after him, for like causes, upon the speaker of the house of representatives; but each of them shall

act only until the cause which renders the officer having the prior right incapable of performing the duties of the office is removed or until the vacancy is filled by election.

Article V.

JUDICIAL DEPARTMENT.

Section 89. The dates in section 89 were revised as follows: The words "nineteen hundred twenty-four" in the second line were made "nineteen hundred thirty-five"; the "words nineteen hundred thirty-one" in the fourth line were made "nineteen hundred thirty-nine"; the words "nineteen hundred twenty-seven" in the fifth line were made "nineteen hundred thirty-seven"; the words "nineteen hundred twenty-four" in the sixth line were made "nineteen hundred thirty-three"; the words "nineteen hundred twenty-four" in the seventh line were made "nineteen hundred thirty-five"; the words "nineteen hundred twenty-four" in the eighth line were made "nineteen hundred thirty-three." The following words from the last sentence of section 8 in the schedule were inserted as a sentence immediately before the last sentence of section 89: "The justices from the first district shall be elected on the first Monday of June in the years in which their terms expire and the justices from the second, third, fourth, fifth and sixth districts shall be elected on the first Tuesday after the first Monday in November in the years in which their terms expire." The section as revised reads as follows:

Section 89. One justice of the supreme court shall be elected in the first district in nineteen hundred thirty-five; one justice in the first district in nineteen hundred thirty-three; one justice in the second district in nineteen hundred thirty-nine; one justice in the third district in nineteen hundred thirty-seven; one justice in the fourth district in nineteen hundred thirty-three; one justice in the fifth district in nineteen hundred thirty-five; one justice in the sixth district in nineteen hundred thirty-three; and every ten years thereafter respectively. The justices from the first district shall be elected on the first Monday of June in the years in which their terms expire and the justices from the second, third, fourth, fifth and sixth districts shall be elected on the first Tuesday after the first Monday in November in the years in which their terms expire. The term of office of each justice shall be ten years from the date of his election.

Section 93. In the fourth line the word "court" was stricken out and the words "pleading, practice or procedure" were substituted. The section as amended reads as follows:

Section 93. The supreme court shall have exclusive power to prescribe rules of pleading, practice and procedure in all courts; but rules not inconsistent therewith may be prescribed respectively by other courts of record. Any rule of pleading, practice or procedure may be set aside by the general assembly by a special law limited to that purpose.

Section 100. The section was made a solid paragraph to read as follows:

Section 100. Appeals from and writs of error to circuit and county courts may be prosecuted in all cases as follows: (a) to or from the supreme court in all criminal cases where the punishment allowed by law may be death or imprisonment in the penitentiary and in cases where a franchise or a freehold or the validity of a statute is involved, (b) to or from the appellate courts in such other cases as may be prescribed by general rule of the supreme court and (c) to or from the supreme court in all other cases. Except as above limited the supreme court by general rule may prescribe the final jurisdiction of appellate courts unless otherwise provided by law.

Section 104. The section appearing as section 103 of the second revised draft of June 22, 1922 was a substitute for section 104. The words "for any county or counties" were inserted after the word "court" in the first line of section 103 as there found. The words "and criminal" immediately before the word "cases" at the end of the second sentence of section 103 were stricken out. The section as revised reads as follows:

Section 104. The circuit courts shall always be open for the transaction of business but terms of court for any county or counties not less than four annually may be prescribed by law for common law and criminal cases. The first Monday of each month shall be return day for process in chancery cases and, unless otherwise prescribed by law for any county or counties, in common law cases. The circuit court shall sit at the county seat of each county. If a city of more than fifty thousand population in any county provides and maintains suitable facilities for holding court, the circuit court shall also sit in such city. In any city wholly or partly in the county, whenever such city or part thereof has not less than five thousand population, a majority of the judges of the circuit may provide for holding sessions of court therein, if such city provides and maintains suitable facilities for holding court.

Section 107. The word "such" before the word "judges" in the second sentence was stricken out. The section as revised reads as follows:

Section 107. Judges of the circuit court of Cook county shall be elected for terms of six years from the date of their election. At all elections for judges the ballots therefor shall be separate and distinct from the ballots for non-judicial officers.

Section 111. The third sentence of this section was revised to read: "If the proposition is approved by a majority of those voting thereon such chief justice shall declare it adopted." The fourth sentence was changed to read:

"If it is disapproved it shall not again be submitted for six years."

The word "hereinafter" in the succeeding sentence was changed to the word "herein." The section as revised reads as follows:

Section 111. Electors of the county of Cook equal in number to one-tenth of the total vote cast for president of the county board at the last preceding election may file in the circuit court a petition to submit to a vote the proposition whether the county shall adopt the system hereinafter provided for the appointment of the judges of the circuit court. Thereupon the chief justice of the civil division of that court by an order entered of record shall call a special election for submitting such proposition within three months after such order is entered. If the proposition is approved by a majority of those voting thereon such chief justice shall declare it adopted. If it is disapproved it shall not again be submitted for six years. Upon the adoption of the proposition the judges in office shall continue in office until removed as herein provided. After the adoption of the proposition the manner of choosing judges of that court shall be as follows: The governor shall fill any vacancy in that court by appointment from a list containing the names of not less than four eligible persons for each vacancy, nominated by a majority of the supreme court, not more than one-half of such persons to be affiliated with the same political party. Thereafter each judge shall hold his office during good behavior subject to removal as herein provided. On the first Monday of June in the sixth year after the election or appointment of every judge, or in the seventh year if the sixth is an even numbered year, and on the same date in every sixth year thereafter the electors of the county shall be given an opportunity at an election to express their disapproval of such judge. If a majority of those voting at any such election disapproves of any judge his office shall become vacant at the end of three months after the election and for a period of six years thereafter he shall be ineligible to appointment as a judge of such court; if such judge is not disapproved, he shall continue in office and begin a new term on the day of such election. All elections under this section shall be conducted in the manner prescribed by law.

Section 114. This section was made a solid paragraph to read as follows:

Section 114. In every such county there shall be a county court which shall have (a) original jurisdiction of all matters of probate, guardianship, conservatorship and apprenticeship, the administration and settlement of estates of deceased persons and proceedings for the sale of real estate where required for the administration and settlement of such matters or estates,

proceedings relating to taxes and assessments and their collection, and criminal cases below the grade of felony, (b) concurrent jurisdiction with the circuit courts in testamentary trusts, construction of wills and partition of real estate where any such proceeding is incidental to its original jurisdiction, (c) exclusive jurisdiction of appeals from justices of the peace and (d) such other jurisdiction as provided by law.

Section 121. The words "elected members" were transposed to read "members elected." The section as revised reads as follows:

Section 121. The general assembly, upon due notice, and opportunity for defense and for cause entered upon the journal of each house, may remove any justice or judge upon concurrence in each house, of three-fourths of its members elected. All other officers mentioned in this article shall be removed from office on conviction for misdemeanor in office.

Article VI.

SUFFRAGE AND ELECTION.

No change.

Article VII.

REVENUE AND FINANCE.

Section 149. In the second line from the end of the section the word "tax" was stricken out and the words "for the tax or assessment" were inserted immediately after the word "lien." The section as revised reads as follows:

Section 149. No owner of real estate shall be divested of title for default in payment of general or special taxes or assessments except upon sale by the county treasurer or by forfeiture to the state and in either case only after judgment of a court of record entered after notice as provided by law. Not less than two years shall be allowed to redeem from such sale or forfeiture. The general assembly may provide that the holder of a tax title based on any tax sale hereafter made may waive claim of title to the land sold and be subrogated to the lien for the tax or assessment for which the sale was made and proceed in equity to foreclose such lien with additional penalties as provided by law.

Section 153. This section was made a solid paragraph to read as follows:

Section 153. Each general assembly shall make appropriations for the expenses of the government for a period of two years from the first day of July of the year in which it convenes. After such appropriations have been made the aggregate amount thereof shall not be increased except by a vote of two-thirds of the members elected to each house. All appropriations for any such two-year period shall end with the period except that obligations incurred during the period may be paid within three months thereafter.

Section 155. This section was made a solid paragraph. The words "members of the house of" were inserted before the word "representatives" in the eight line of the section. The section as revised reads as follows:

Section 155. The state may contract debts (a) for meeting casual deficits in revenue up to one million dollars, (b) for defense in war, suppressing insurrection or repelling invasion and (c) for the deep waterway as provided in this constitution. Money so borrowed shall be applied only to the purpose for which it is obtained or for the payment of the debts thus created. No other debt shall be contracted by the state unless the law authorizing it is approved by a majority of those voting for members of the house of representatives at a general election. The general assembly shall provide for the publication of any such law for at least three months before the election. Provision shall be made when the debt is contracted for the annual payment of interest either by a tax to be levied for the purpose or by setting aside other revenues. Any law providing for such tax shall be submitted in like manner with the law authorizing the debt and if approved shall be irrepealable.

Article VIII.

LOCAL GOVERNMENTS.

Section 178. The word "law" at the end of the first paragraph was stricken out and the words "the general assembly or by this article" inserted in lieu thereof. The section was made a solid paragraph and as revised reads as follows:

Section 178. Except as expressly prohibited by law the city of Chicago is hereby declared to possess for all municipal purposes full and complete power of local self-government and corporate action. This grant of power shall be liberally construed and no power of local self-government or corporate action shall be denied the city by reason of not being specified herein. The city, however, may impose taxes and borrow money only as authorized by the general assembly or by this article. Until otherwise provided by the city charter the powers heretofore granted the city shall be preserved and exercised in accordance with law and the additional powers granted by this section shall be exercised by or in accordance with city ordinances.

Section 179. The section was made a solid paragraph to read as follows:

Section 179. The legislative authority of the city of Chicago from time to time and after approval of the proposition at an election in such manner as it may provide, may call an elective convention to frame a new city charter or to revise or amend any existing charter. The proposals of any such convention shall be submitted to the voters for adoption in the manner provided by it. Subsequent amendments may also be proposed and submitted to the voters in such manner as the charter may provide. State election laws and the powers and duties existing thereunder shall be available for the purposes of this section. The charter so framed, revised or amended and ordinances passed thereunder shall prevail over state laws so far as the organization of the city government, the distribution of powers among its official agencies and the tenure and compensation of its officers and employees are concerned. Rates of compensation as well as conditions of appointment and promotion in the classified civil service of the city shall be determined according to a general plan which shall recognize merit and fitness as controlling principles. A certified copy of such charter or any amendment thereto shall be filed with the secretary of state within thirty days after its adoption.

Section 180. The words "in fee simple or otherwise" were inserted after the words "to take." The section as revised reads as follows:

Section 180. The city of Chicago shall have power to take in fee simple or otherwise or damage private property (including public utilities and the privileges or licenses held in connection therewith) for public use in accordance with law.

Article IX.

PUBLIC SERVANTS.

No change.

Article X.

EDUCATION.

No change.

Article XI.

MILITIA.

No change.

Article XII.

WAREHOUSES AND COMMON CARRIERS.

No change.

Article XIII.

CANALS AND WATERWAYS.

Section 228. The word "expended" was striken out and the word "appropriated" substituted. The section as revised reads as follows:

Section 228. In addition to the proceeds of the twenty million dollars of bonds heretofore authorized for the deep waterway, ten million dollars may be appropriated therefor and all or part thereof secured by issuing bonds. The state shall make no other expenditure for any canal or waterway or appurtenance thereto except from the income thereof unless the expenditure is approved by a majority of all those voting at a general election.

Article XIV.

Amendments to the constitution.

No change.

Schedule.

In section 8 in the second paragraph the word "his" in the last line but one of the second paragraph was changed to the word "that". The last two sentences of the third paragraph of the section were stricken out. The section as revised reads as follows:

Section 8. On the day this constitution is submitted to the people for ratification an election shall be held for a justice of the supreme court in the first judicial district designated by this constitution. Every person in that judicial district who is entitled to vote for this constitution shall be entitled to vote for such justice. The election shall otherwise be conducted, returns made and certificate of election issued in accordance with existing laws. If it appears upon the canvassing of the votes for and against this constitution that this constitution is not adopted, then no certificate of election shall be issued for such justice. If he is elected and commissioned, such justice shall hold office until the first Monday of June, nineteen hundred thirty-three. He shall not enter upon the discharge of his duties until the first Monday of June, nineteen hundred twenty-four, unless prior to that time there is a vacancy in the supreme court from any district, in which case he shall fill such vacancy until the first Monday of June, nineteen hundred twenty-four.

When the term of office of the justice residing in the second district under this constitution (elected from the sixth district under the constitution of eighteen hundred seventy) expires on the first Monday of June, nineteen hundred twenty-four, that office shall cease to exist.

Successors to the justices now in office shall be elected on the first Monday of June in the years in which their respective terms expire. One justice for the first district shall be elected for a term to expire on the first Monday in June, nineteen hundred thirty-five; a justice for the fifth district shall be elected for a term to expire on the first Tuesday after the first Monday in November, nineteen hundred thirty-five; justices for the fourth and sixth districts shall be elected for terms to expire on the first Tuesday after the first Monday in November, nineteen hundred thirty-three; a justice for the third district shall be elected for a term to expire on the first Tuesday after the first Monday in November, nineteen hundred thirty-seven; and a justice for the second district shall be elected for a term to expire on the first Tuesday after the first Monday of November, nineteen hundred thirty-nine.

Section 13. The words "on the seventh day of May" were changed to read "May seventh." In the fourth paragraph of the section the word "and" was inserted in lieu of the comma after the words "nineteen hundred twenty-six". The section as revised reads as follows:

Section 13. The judges of the circuit, superior, county and probate courts of Cook county and the chief justice of the municipal court of Chicago in office on May seventh, nineteen hundred twenty-three (except the judges of the circuit and superior courts of Cook county made judges of the appellate court of the first district by the adoption of this constitution whose offices as judges of the circuit and superior courts of Cook county thereby cease to exist) shall be judges of the circuit court of Cook county as thus consolidated and shall continue to hold office during the terms for which they are respectively elected or appointed and until their successors

are elected and qualified. The associate judges of the municipal court of Chicago in office on May seventh, nineteen hundred twenty-three, shall be associate judges of the circuit court of Cook county as thus consolidated and shall continue to hold office during the terms for which they are respectively elected or appointed and until the first Monday of June next following, respectively, when their respective offices as associate judges of that court shall be abolished. There shall be elected to the office of judge of the circuit court of Cook county for terms of six years, except as hereinafter otherwise specifically provided, on the first Monday of June of the years following: In nineteen hundred twenty-three, nine judges as successors to the judges whose terms expire in that year; in nineteen hundred twenty-five, one judge as successor to the judge whose term expires in nineteen hundred twenty-four and one judge as successor to the judge whose term expires in nineteen hundred twenty-five together with eight additional judges; in nineteen hundred twenty-seven, two judges as successors to the judges whose terms expire in the year nineteen hundred twenty-six, and seventeen judges as successors to the judges whose terms expire in the year nineteen hundred twenty-seven; in nineteen hundred twenty-seven, eight additional judges for terms of four years; and in nineteen hundred twenty-nine, four judges as successors to the judges whose terms expire in the year nineteen hundred twenty-eight, nine judges as successors to the judges whose terms expire in the year nineteen hundred twenty-nine, together with eight additional judges, one of whom shall hold office for the term of two years.

Section 27. The words "first day of May" were changed to read "May seventh". The section as revised reads as follows:

Section 27. From and after May seventh, nineteen hundred twenty-three, and until otherwise provided by law, all matters of fees and costs connected with proceedings in the circuit court of Cook county shall be regulated by rules to be adopted by the supreme court.

Section 34. The words "the adoption of" were inserted after the word "against". The section as revised reads as follows:

Section 34. The ballots cast for and against the adoption of this constitution shall be received and canvassed by the judges and clerks of such election and returned as provided by law for general elections.

Section 132. Remove the comma in the fifth line after the word "years."

Section 156. Insert a comma after the word "cent" in the third line.

In *section 175* change the word "clerk" the last word in the section to "court."

Section 178. Remove the period after the word "Section."

Section 179. Insert a comma after the word "Chicago" in the first line.

Section 187. Insert a comma after the word "fifteen" in the third line.

Section 192. In the second line of the second paragraph take out the comma after the word thereafter."

Section 204. Made a solid paragraph to read as follows:

Section 204. No officer of this state shall be beneficially interested directly or indirectly in any contract with the state. No officer of any subdivision of the state or of any municipal corporation or of any board or commission shall be beneficially interested directly or indirectly in any contract with the particular body of which he is an officer.

Section 18 of the Schedule. Made a solid paragraph to read as follows:

Section 18. The judges of the county and probate courts (in counties other than the county of Cook) in office on December third, nineteen hundred twenty-three, shall be judges of the county court as thus consolidated, at which time the office of judge of the probate court or probate judge shall be abolished. They shall hold office during the terms for which they were elected and until their successors are elected and qualified. Counties having a population of less than seventy-five thousand, which have a county judge and a probate judge at the time of the adoption of this constitution, shall elect in nineteen hundred twenty-seven two county judges.

And recommended that the report of the Committee on Phrascology and Style, as amended, do pass.

And the report of the committee was concurred in.

By unanimous consent, the rule requiring the document to be printed was suspended.

Whereupon, Mr. Davis moved that the Constitution as a unit, as reported from the Committee of the Whole, to this Convention, be now placed on the order of third reading.

And on that motion a call of the roll was had, resulting as follows: Yeas, 59; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Green	Meinert	Smith
Adamkiewicz	Davis	Hogan	Mills	Sneed
Barr	Dawes	Hull	Moore	Sutherland
Brenholt	Dietz	Ireland	Nichols	Taff
Cary, C. D.	Dryer	Jack	O'Brien	Todd
Carlstrom	Dunlap	Jarman	Paddock	Trautmann
Catron	Dupuy, G. A.	Johnson, L. C.	Pinnell	Wall
Chew	Elting	Johnson, W. A.	Rinaker	Warren
Clarke	Garrett	Kerrick	Scanlan	Whitman
Coolley	Gilbert	Lill	Shanahan	Wilson
Corlett	Goodyear	Lindly	Shuey	Mr. President
Cruden	Gray	Mack	Six	

Yeas—59.
Nays—0.

And the motion prevailed.

The question then being on the passage and adoption of the Revised Constitution as a whole or unit on third reading, a call of the roll was had, resulting as follows: Yeas, 59; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Cutting	Green	Meinert	Smith
Adamkiewicz	Davis	Hogan	Mills	Sneed
Barr	Dawes	Hull	Moore	Sutherland
Brenholt	Dietz	Ireland	Nichols	Taff
Cary, C. D.	Dryer	Jack	O'Brien	Todd
Carlstrom	Dunlap	Jarman	Paddock	Trautmann
Catron	Dupuy, G. A.	Johnson, L. C.	Pinnell	Wall
Chew	Elting	Johnson, W. A.	Rinaker	Warren
Clarke	Garrett	Kerrick	Scanlan	Whitman
Coolley	Gilbert	Lill	Shanahan	Wilson
Corlett	Goodyear	Lindly	Shuey	Mr. President
Cruden	Gray	Mack	Six	

Yeas—59.
Nays—0.

The Constitution, having received the votes on third reading of a majority of the Delegates elected, was declared passed.

Mr. Trautmann moved that the Committee on Phraseology and Style now proceed to engross and enroll the Constitution.

And the motion prevailed.

Mr. Davis gave notice that on the next Convention day he would move to reconsider the vote by which the Constitution had passed.

Mr. Clarke gave notice that on the next Convention day he would move to reconsider the vote by which the Constitution had passed, for the specific and only purpose of making such corrections and alterations as may be deemed necessary to perfect and complete the document.

Mr. Green moved that when the Convention adjourns today it stand adjourned until Tuesday, September 12, 1922, at 10:00 o'clock a. m.

And the motion prevailed.

Mr. Wilson offered the following resolution, which was adopted by a unanimous vote:

Resolved, That this Convention express its sympathy for their affliction and its regrets for the enforced absence of Delegates Gale, McGuire and Pearce.

At the hour of 5:10 o'clock p. m., Mr. Green moved that the Convention do now adjourn.

The motion prevailed.

And in accordance with the motion heretofore adopted the Convention stood adjourned until Tuesday, September 12, 1922, at 10:00 o'clock a. m.

TUESDAY, SEPTEMBER 12, 1922, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

Prayer was offered by Dr. A. E. Turner, President of Lincoln College, of Lincoln.

The Journal of Tuesday, June 27th, having been printed and placed on the desks of the Delegates, as provided under the rules, was taken up and no corrections appearing, was ordered to stand approved.

In accordance with the resolution adopted April 25th, the Secretary called the roll of the Convention, which resulted as follows: Present, 81.

Those answering present were: Messrs.

Adams	Dawes	Green	McEwen	Shanahan
Adamkiewicz	De Young	Hamill	Meinert	Shuey
Baldwin	Dietz	Hollenbeck	Michal	Six
Barr	Dryer	Hull	Miller	Smith
Beckman	Dunlap	Iarussi	Mills	Sutherland
Brandon	Dupuy, G. A.	Ireland	Moore	Taff
Brenholt	Elting	Jack	Nichols	Todd
Brewster	Fifer	Jarman	O'Brien	Torrance
Cary, C. D.	Frole	Johnson, L. C.	Paddock	Wall
Carlstrom	Fyke	Johnson, W. A.	Parker	Warren
Catron	Gale	Kerrick	Pincus	Whitman
Chew	Ganschow	Kunde	Pinnell	Wilson
Clarke	Garrett	Latchford	Quinn	Wolff
Coolley	Gee	Lill	Rinaker	Woodward
Corlett	Gilbert	Lindly	Rosenberg	Mr. President
Cruden	Goodyear	Mack	Scanlan	
Davis	Gray			

Present—81.

By unanimous consent, Mr. McGuire was excused from attendance at the sessions of the Convention today, on account of illness.

The President laid before the Convention the following communication, which was read at large by the Secretary, as follows:

SPRINGFIELD, ILL., *September 6, 1922.*

To the President and Members of the Constitutional Convention:

In view of the fact that I will be out of the State and not able to attend the meeting of the Convention when it reconvenes on September 12th, I hereby request unanimous consent to be recorded in favor of voting in the affirmative on the following propositions:

(1) On the motion to reconsider the vote by which the Constitution was adopted.

(2) On the motion to reopen the Judicial Article for the purpose of amending sections 87, 88 and 89, the substance of the same being to provide for nine members of the Supreme Court instead of seven .

(3) On the amendments offered to these three sections, as indicated above.

(4) On the motion to reopen the Article on Suffrage and Elections for the purpose of amending section 136 so that the one election day a year provision will not apply to the election of judges of the Supreme Court in the Seventh Judicial District in the counties other than Cook.

(5) On the motion amending section 136, as above indicated.

(6) On the motion to reopen the schedule for the purpose of amending section 8 to conform with the changes proposed to sections 87, 88 and 89 of

the Constitution so that two judges may be voted for on December 12th, and that provision is made for the election of the other seven judges.

(7) On the motion to amend section 8 of the schedule, as above indicated.

(Signed) W. E. TRAUTMANN.

Unanimous consent being refused, the foregoing request could not be granted.

Mr. Davis, in accordance with his notice of June 28th, moved to reconsider the vote by which the proposed Constitution had passed.

The question being on the motion to reconsider, a division of the Convention was had, resulting as follows: Yeas, 43; nays, 27.

The motion prevailed.

And the proposed Constitution was again taken up.

Whereupon Mr. Green asked unanimous consent to reconsider the vote by which sections 87, 88, 89, 91 and 136, of the proposed Constitution, and section 8 of the Schedule, were adopted.

Unanimous consent being refused, Mr. Green moved that the provisions of Paragraph 11, of Rule 22, be suspended for the sole and only purpose of offering amendments to sections 87, 88, 89, 91 and 136, of the proposed Constitution, and section 8 of the Schedule.

And on that motion a division of the Convention was had, resulting as follows: Yeas, 51; nays, 20.

The motion prevailed.

And the rules were suspended.

Mr. Green moved to reconsider the vote by which sections 87, 88, 89, 91 and 136, of the proposed Constitution, and section 8, of the Schedule, were adopted.

And the motion prevailed.

Mr. Green thereupon offered the following as a substitute for sections 87, 88, 89, 91 and 136, of the proposed Constitution, and section 8, of the Schedule, and moved its adoption:

Section 87. The Supreme Court shall consist of nine justices one of whom to be chosen by themselves shall be chief justice.

Section 88. The State shall be divided into seven districts for the election of justices. The district including the County of Cook shall elect three justices, not more than two of whom shall at the time of their respective elections reside in the same county. Each of the other six districts shall elect one justice. Until otherwise provided by law, the seven districts shall remain as at the time of the adoption of this Constitution.

Section 89. One justice shall be elected in the first district in nineteen hundred thirty-three; one justice shall be elected in the second district in nineteen hundred thirty-five; one justice shall be elected in the third district in nineteen hundred thirty-three; one justice shall be elected in the fourth district in nineteen hundred thirty-nine; one justice shall be elected in the fifth district in nineteen hundred thirty-seven; one justice shall be elected in the sixth district in nineteen hundred thirty-seven; one justice shall be elected in the seventh district in nineteen hundred thirty-one; one justice shall be elected in the seventh district in nineteen hundred thirty-three; one justice shall be elected in the seventh district in nineteen hundred thirty-five. The justices from the seventh district shall be elected on the first Monday of June in the years in which their terms expire and the justices from the first, second, third, fourth, fifth and sixth districts shall be elected on the first Tuesday after the first Monday of November in the years in which their terms expire. The term of office of each justice shall be ten years from the date of his election.

Section 91. The Supreme Court shall sit at the seat of government. A majority of the justices shall constitute a quorum and the concurrence of five shall be necessary for every decision.

Section 136. In that part of the State outside of the County of Cook no final election of officers, except justices of the Supreme Court in the district of which the County of Cook is a part, shall be held save on the first Tuesday after the first Monday of November which shall be a holiday; but after the first day of January, nineteen hundred twenty-seven, the General Assembly by a vote of two-thirds of the members elected to each House may provide for the election of officers at other times.

Section 8. On the day this Constitution is submitted to the people for ratification an election shall be held for two justices of the Supreme Court in the Seventh Judicial District. Every person in that judicial district who is entitled to vote for this Constitution shall be entitled to vote for such justices. The election shall otherwise be conducted, returns made and certificates of election issued in accordance with existing laws. If it appears upon the canvassing of the votes for and against this Constitution that this Constitution is not adopted, then no certificates of election shall be issued for such justices. If they are elected and commissioned such justices shall hold office, one until the first Monday of June, nineteen hundred thirty-one and one until the first Monday of June, nineteen hundred thirty-three.

Successors to the justices now in office shall be elected in the seventh district on the first Monday of June and in the other districts on the first Tuesday after the first Monday of November in the years in which their respective terms expire. One justice for each of the first and third districts shall be elected for a term to expire on the first Tuesday after the first Monday of November, nineteen hundred thirty-three; one justice for the second district shall be elected for a term to expire on the first Tuesday after the first Monday of November, nineteen hundred thirty-five; one justice for the fourth district shall be elected for a term to expire on the first Tuesday after the first Monday of November, nineteen hundred thirty-nine; one justice for each of the fifth and sixth districts shall be elected for a term to expire on the first Tuesday after the first Monday of November, nineteen hundred thirty-seven; one justice for the seventh district shall be elected for a term to expire on the first Monday of June, nineteen hundred thirty-five.

Pending discussion, Mr. DeYoung offered the following amendment to the substitute, and moved its adoption:

Amend the substitute by striking out of section 88, after the word "justices" in the third line thereof, the words: "not more than two of whom shall at the time of their respective elections reside in the same county."

Mr. Corlett raised the point of order that the amendment was out of order for the reason that Mr. Green had moved to suspend the rules for a specific purpose, which would not include the amendment offered by Mr. DeYoung.

And the point of order was sustained.

Pending further discussion, Mr. Whitman moved the previous question.

And the question being, "Shall the main question be now put?" it was decided in the affirmative.

The question then being on the adoption of the substitute for sections 87, 88, 89, 91 and 136, of the proposed Constitution, and section 8, of the Schedule, a call of the roll was had, resulting as follows: Yeas, 57; nays, 24.

Those voting in the affirmative are: Messrs.

Adams	Cruden	Gee	Meinert	Smith
Barr	Davis	Gilbert	Miller	Sutherland
Beckman	Dawes	Goodyear	Mills	Torrance
Brandon	De Young	Gray	Moore	Wall
Brenholt	Dietz	Green	Nichols	Warren
Cary, C. D.	Dryer	Hamill	Paddock	Whitman
Carlstrom	Dunlap	Hull	Quinn	Wilson
Catron	Dupuy, G. A.	Ireland	Rinaker	Wolff
Chew	Elting	Jack	Scanlan	Woodward
Clarke	Fyke	Johnson, L. C.	Shanahan	Mr. President
Coolley	Gale	Lindly	Six	
Corlett	Garrett	McEwen		

Yeas—57.

Those voting in the negative are: Messrs.

Adamkiewicz	Ganschow	Kerrick	Michal	Rosenberg
Baldwin	Hollenbeck	Kunde	O'Brien	Shuey
Brewster	Iarussi	Latchford	Parker	Taff
Fifer	Jarman	Lill	Pincus	Todd
Frole	Johnson, W. A.	Mack	Pinnell	

Nays—24.

And the substitute for sections 87, 88, 89, 91 and 136, of the proposed Constitution, and section 8, of the Schedule, was adopted.

Mr. Jarman asked unanimous consent to suspend the rules for the purpose of offering a specific amendment to section 39, of the proposed Constitution.

Unanimous consent being granted, Mr. Jarman moved to reconsider the vote by which section 39 was adopted.

And the motion prevailed.

Mr. Jarman thereupon offered the following as a substitute for section 39, and moved its adoption:

Amend section 39 by substituting therefor the following:

"Section 39. No subject matter shall be included in any Conference Committee Report on an appropriation bill unless such subject matter directly relates to matters of difference between the Houses and has been specifically referred to the Conference Committee. No appropriation bill shall be passed and no report of any Conference Committee on an appropriation bill shall be considered unless the bill or report has been printed in its final form and placed on the desks of the members at least three legislative days prior to the final passage of the bill or the consideration of the report."

The question being on the adoption of the substitute, a call of the roll was had, resulting as follows: Yeas, 78; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	Davis	Goodyear	Lindly	Rinaker
Adamkiewicz	Dawes	Gray	Mack	Rosenberg
Baldwin	De Young	Green	McEwen	Shanahan
Barr	Dietz	Hamill	Meinert	Six
Beckman	Dryer	Hollenbeck	Michal	Smith
Brandon	Dunlap	Hull	Miller	Sutherland
Brenholt	Dupuy, G. A.	Iarussi	Mills	Taff
Brewster	Elting	Ireland	Moore	Todd
Cary, C. D.	Fifer	Jack	Nichols	Torrance
Carlstrom	Frole	Jarman	O'Brien	Warren
Catron	Fyke	Johnson, L. C.	Paddock	Whitman
Chew	Gale	Johnson, W. A.	Parker	Wilson
Clarke	Ganschow	Kerrick	Pincus	Wolff
Coolley	Garrett	Kunde	Pinnell	Woodward
Corlett	Gee	Latchford	Quinn	Mr. President
Cruden	Gilbert	Lill		

Yeas—78.

And the substitute for section 39 was adopted.

Mr. Davis asked unanimous consent to suspend the rules for the purpose of offering a specific amendment to section 195, of the proposed Constitution.

Unanimous consent being granted, Mr. Davis moved to reconsider the vote by which section 195 was adopted.

And the motion prevailed.

Mr. Davis thereupon offered the following as a substitute for section 195, and moved its adoption:

Amend section 195 by substituting therefor the following:

"Section 195. To hold any office created by this Constitution a person shall be a citizen of the United States, resident in this State one year and able to read and write the English language."

The question being on the adoption of the substitute, a call of the roll was had, resulting as follows: Yeas, 76; nays, 2.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Gray	Lindly	Rosenberg
Adamkiewicz	De Young	Green	Mack	Shanahan
Baldwin	Dietz	Hamill	McEwen	Six
Barr	Dryer	Hollenbeck	Meinert	Smith
Beckman	Dunlap	Hull	Michal	Sutherland
Brandon	Dupuy, G. A.	Iarussi	Miller	Todd
Brenholt	Elting	Ireland	Mills	Torrance
Cary, C. D.	Fifer	Jack	Moore	Wall
Carlstrom	Frole	Jarman	Nichols	Warren
Catron	Fyke	Johnson, L. C.	O'Brien	Whitman
Chew	Gale	Johnson, W. A.	Paddock	Wilson
Clarke	Ganschow	Kerrick	Parker	Wolff
Coolley	Garrett	Kunde	Pincus	Woodward
Corlett	Gee	Latchford	Pinnell	Mr. President
Cruden	Gilbert	Lill	Quinn	
Davis	Goodyear			

Yeas—76.

Those voting in the negative are: Messrs.

Rinaker	Taff

Nays—2.

And the substitute for section 195 was adopted.

Mr. Sutherland asked unanimous consent to suspend the rules for the purpose of offering a specific amendment to section 1, of the Schedule.

Unanimous consent being refused, Mr. Sutherland moved to suspend the rules for that purpose.

And the question being on the motion to suspend the rules, a division of the Convention was had, resulting as follows: Yeas, 55; nays, 11.

The motion prevailed.

And the rules were suspended.

Mr. Sutherland moved to reconsider the vote by which section 1, of the Schedule, was adopted.

And the motion prevailed.

Whereupon Mr. Sutherland offered the following as a substitute for section 1, of the Schedule, and moved its adoption:

Amend section 1, by substituting therefor the following:

"Section 1. All laws in force at the adoption of this Constitution not inconsistent therewith and all rights, actions, prosecutions, claims and contracts of this State or of individuals or of bodies corporate shall continue to be as valid as if this Constitution had not been adopted, and that section 5 of article 11 of the present Constitution shall continue in full force and effect until the first day of July, 1925."

Mr. Michal moved to lay the substitute on the table.

And the motion was lost.

The question recurring on the adoption of the substitute for section 1, of the Schedule, the same was, by unanimous consent, withdrawn.

Mr. Sutherland thereupon offered the following as a substitute for section 1, of the Schedule, and moved its adoption:

Amend section 1 by substituting therefor the following:

"Section 1. All laws in force at the adoption of this Constitution not inconsistent therewith and all rights, actions, prosecutions, claims and contracts of this State or of individuals or of bodies corporate shall continue to be as valid as if this Constitution had not been adopted. An Act entitled. 'An Act to revise the law in relation to banks and banking,' approved June twenty-third, nineteen hundred nineteen, shall continue in force unchanged until the first day of July, nineteen hundred twenty-five and thereafter until revised, repealed or amended."

The question then being on the adoption of the substitute, a call of the roll was had, resulting as follows: Yeas, 59; nays, 15.

Those voting in the affirmative are: Messrs.

Adams	Coolley	Ganschow	Latchford	Pinnell
Adamkiewicz	Corlett	Garrett	Lill	Rinaker
Baldwin	Cruden	Gee	Lindly	Rosenberg
Barr	Davis	Gilbert	Mack	Shanahan
Beckman	Dawes	Goodyear	McEwen	Six
Brandon	De Young	Gray	Meinert	Smith
Brenholt	Dietz	Green	Miller	Sutherland
Brewster	Dryer	Hollenbeck	Mills	Wall
Carlstrom	Dunlap	Iarussi	Moore	Wilson
Catron	Dupuy, G. A.	Ireland	O'Brien	Woodward
Chew	Fyke	Jack	Paddock	Mr. President
Clarke	Gale	Kunde	Parker	

Yeas—59.

Those voting in the negative are: Messrs.

Cary, C. D.	Hamill	Kerrick	Pincus	Warren
Elting	Hull	Michal	Taff	Whitman
Fifer	Johnson, W. A.	Nichols	Torrance	
Frole				

Nays—15.

And the substitute for section 1, of the Schedule, was adopted.

Mr. Wilson asked unanimous consent to suspend the rules for the purpose of offering a specific amendment to section 142, of the proposed Constitution.

Unanimous consent being refused, Mr. Wilson moved to suspend the rules for that purpose.

And the question being on the motion to suspend the rules, a division of the Convention was had, resulting as follows: Yeas, 41; nays, 31.

The motion, having failed to receive a two-thirds vote, was declared lost.

And the Convention refused to suspend the rules.

Mr. Green asked unanimous consent to suspend the rules for the purpose of offering a specific amendment to section 142, of the proposed Constitution.

Unanimous consent being refused, Mr. Green moved to suspend the rules for that purpose.

And the question being on the motion to suspend the rules, a division of the Convention was had, resulting as follows: Yeas, 50; nays, 16.

The motion prevailed.

And the rules were suspended.

Mr. Green moved to reconsider the vote by which section 142 was adopted.

And the motion prevailed.

Whereupon Mr. Green offered the following amendment to section 142, of the proposed Constitution, and moved its adoption:

Amend section 142 by adding thereto the following:

"The rate of such tax shall be uniform on all incomes taxed under this section."

Pending discussion, at the hour of 1:15 o'clock p. m., Mr. Green moved that the Convention do now take a recess until 2:30 o'clock p. m.

And the motion prevailed.

2:30 o'Clock P. M.

The hour of 2:30 o'clock p. m. having arrived, the Convention resumed its session.

The President presiding.

The pending question at the hour of taking a recess being the amendment to section 142, of the proposed Constitution, offered by Mr. Green, the same was again taken up.

Pending discussion, Mr. Whitman moved the previous question.

And the question being, "Shall the main question be now put?" it was decided in the affirmative.

The question then being on the adoption of the amendment, it was decided in the affirmative.

The question again being on the adoption of section 142, as amended, a call of the roll was had, resulting as follows: Yeas, 55; nays, 14.

Those voting in the affirmative are: Messrs.

Adams	Dietz	Hull	Mills	Smith
Barr	Dupuy, G. A.	Jack	Moore	Sutherland
Beckman	Elting	Jarman	Nichols	Todd
Brenholt	Fifer	Johnson, L. C.	Paddock	Torrance
Brewster	Fyke	Johnson, W. A.	Parker	Wall
Cary, C. D.	Garrett	Kerrick	Pinnell	Warren
Carlstrom	Gilbert	Latchford	Quinn	Whitman
Chew	Goodyear	Lill	Rinaker	Wilson
Clarke	Gray	Lindly	Shanahan	Woodward
Cruden	Green	Mack	Shuey	Mr. President
Davis	Hollenbeck	Meinert	Six	
De Young				

Yeas—55.

Those voting in the negative are: Messrs.

Baldwin	Corlett	Gale	McEwen	Taff
Brandon	Dawes	Hamill	Michal	Wolff
Coolley	Dunlap	Iarussi	Scanlan	

Nays—14.

And section 142, as amended, was adopted.

Mr. DeYoung asked unanimous consent to suspend the rules for the purpose of offering a specific amendment to section 113, of the proposed Constitution.

Unanimous consent being granted, Mr. DeYoung moved to reconsider the vote by which section 113 was adopted.

And the motion prevailed.

Mr. DeYoung thereupon offered the following amendment to section 113, and moved its adoption:

Amend section 113 by adding after the word "county" in the 7th line thereof the words "or district."

And the amendment was adopted.

The question then being on the adoption of section 113, as amended, a call of the roll was had, resulting as follows: Yeas, 72; nays, 0.

Those voting in the affirmative are: Messrs.

Adams	De Young	Gray	Lindly	Shanahan
Baldwin	Dietz	Green	Mack	Shuey
Barr	Dryer	Hamill	McEwen	Six
Beckman	Dunlap	Hollenbeck	Meinert	Smith
Brandon	Dupuy, G. A.	Hull	Michal	Sutherland
Brenholt	Elting	Iarussi	Mills	Taff
Brewster	Fifer	Ireland	Moore	Todd
Cary, C. D.	Frole	Jack	Nichols	Wall
Carlstrom	Fyke	Jarman	Parker	Warren
Chew	Gale	Johnson, L. C.	Pincus	Whitman
Clarke	Ganschow	Johnson, W. A.	Pinnell	Wolff
Coolley	Garrett	Kerrick	Quinn	Woodward
Cruden	Gee	Kunde	Rinaker	Mr. President
Davis	Gilbert	Latchford	Scanlan	
Dawes	Goodyear	Lill		

Yeas—72.
Nays—0.

Answering present but not voting: Mr. Corlett

Total—1.

And section 113, as amended, was adopted.

Mr. Jarman asked unanimous consent to suspend the rules for the purpose of offering a specific amendment to section 104, of the proposed Constitution.

Unanimous consent being refused, Mr. Jarman moved to suspend the rules for that purpose.

And the question being on the motion to suspend the rules, a division of the Convention was had, resulting as follows: Yeas, 43; nays, 19.

The motion prevailed.

And the rules were suspended.

Mr. Jarman moved to reconsider the vote by which section 104 was adopted.

And the motion prevailed.

Whereupon Mr. Jarman offered the following amendment and moved its adoption:

Amend section 104 by striking out after the word "business" in the second line thereof the words: "but terms of court for any county or counties not less than four annually may be prescribed by law for common law and criminal cases. The first Monday of each month shall be return day for process in chancery cases and, unless otherwise prescribed by law for any county or counties, in common law cases."

And the amendment was adopted.

The question then being on the adoption of section 104, as amended, a call of the roll was had, resulting as follows: Yeas, 52; nays, 20.

Those voting in the affirmative are: Messrs.

Adams	Davis	Goodyear	McEwen	Shuey
Barr	Dawes	Gray	Miller	Six
Brandon	De Young	Hamill	Mills	Sutherland
Brenholt	Dietz	Hollenbeck	Nichols	Todd
Brewster	Dunlap	Hull	Parker	Wall
Cary, C. D.	Dupuy, G. A.	Ireland	Pinnell	Warren
Carlstrom	Elting	Jack	Quinn	Wilson
Catron	Fyke	Jarman	Riraker	Wolff
Chew	Gale	Johnson, W. A.	Scanlan	Woodward
Coolley	Ganschow	Lill	Shanahan	Mr. President
Cruden	Gilbert			

Yeas—52.

Those voting in the negative are: Messrs.

Baldwin	Garrett	Kunde	Moore	Smith
Beckman	Green	Latchford	O'Brien	Taff
Clarke	Iarussi	Mack	Paddock	Whitman
Corlett	Johnson, L. C.	Michal	Rosenberg	
Frole				

Nays—20.

And section 104, as amended, was adopted.

Mr. Dupuy asked unanimous consent to suspend the rules for the purpose of offering a specific amendment to section 9, of the proposed Constitution.

Unanimous consent being granted, Mr. Dupuy moved to reconsider the vote by which section 9 was adopted.

And the motion prevailed.

Mr. Dupuy thereupon offered the following amendment to section 9, and moved its adoption:

Amend section 9 by striking out the word "district" in the 6th line thereof and inserting in lieu thereof the word "circuit."

And the amendment was lost.

Mr. Hamill moved to reconsider the vote by which the motion to reconsider the vote by which section 9 was adopted, was carried.

And the motion prevailed.

Mr. Hamill thereupon moved to lay the motion to reconsider on the table.

And the motion prevailed.

Mr. Jarman asked unanimous consent to suspend the rules for the purpose of offering a specific amendment to section 115 of the proposed Constitution.

Unanimous consent being refused, Mr. Jarman moved to suspend the rules for that purpose.

And the question being on the motion to suspend the rules, a division of the Convention was had, resulting as follows: Yeas, 48; nays, 6.

The motion prevailed.

And the rules were suspended.

Mr. Jarman moved to reconsider the vote by which section 115 was adopted.

And the motion prevailed.

Whereupon Mr. Jarman offered the following amendment and moved its adoption:

Amend section 115 by striking out after the word "business" in the second line thereof the words: "and the first Monday of each month shall be return day for process or appeals."

And the amendment was adopted.

The question then being on the adoption of section 115, as amended, a call of the roll was had, resulting as follows: Yeas, 74; nays, 3.

Those voting in the affirmative are: Messrs.

Adams	Dawes	Green	Mack	Shanahan
Adamkiewicz	De Young	Hamill	McEwen	Shuey
Baldwin	Dietz	Hollenbeck	Miller	Six
Barr	Dryer	Hull	Mills	Smith
Beckman	Dunlap	Iarussi	Moore	Sutherland
Brandon	Dupuy, G. A.	Ireland	Nichols	Todd
Brenholt	Elting	Jack	O'Brien	Torrance
Brewster	Fyke	Jarman	Paddock	Wall
Cary, C. D.	Gale	Johnson, L. C.	Parker	Warren
Carlstrom	Ganschow	Johnson, W. A.	Pincus	Whitman
Catron	Garrett	Kerrick	Pinnell	Wilson
Chew	Gee	Kunde	Quinn	Wolff
Coolley	Gilbert	Latchford	Rinaker	Woodward
Cruden	Goodyear	Lill	Rosenberg	Mr. President
Davis	Gray	Lindly	Scanlan	Yeas—74.

Those voting in the negative are: Messrs.

Clarke	Corlett	Michal	Nays—3.

And section 115, as amended, was adopted.

The question then being on the passage and adoption of the proposed Constitution as a whole or unit, as amended, the same having been read at large, a call of the roll was had resulting as follows: Yeas, 77; nays, 1.

Those voting in the affirmative are: Messrs.

Adams	Davis	Gray	Mack	Shanahan
Adamkiewicz	Dawes	Green	McEwen	Shuey
Baldwin	De Young	Hamill	Miller	Six
Barr	Dietz	Hollenbeck	Mills	Smith
Beckman	Dryer	Hull	Moore	Sutherland
Brandon	Dunlap	Iarussi	Nichols	Taff
Brenholt	Dupuy, G. A.	Ireland	O'Brien	Todd
Brewster	Elting	Jack	Paddock	Torrance
Cary, C. D.	Frole	Jarman	Parker	Wall
Carlstrom	Fyke	Johnson, L. C.	Pincus	Warren
Catron	Gale	Johnson, W. A.	Pinnell	Whitman
Chew	Ganschow	Kunde	Quinn	Wilson
Clarke	Garrett	Latchford	Rinaker	Wolff
Coolley	Gee	Lill	Rosenberg	Woodward
Corlett	Gilbert	Lindly	Scanlan	Mr. President
Cruden	Goodyear			

Yeas—77.

Those voting in the negative are: Mr. Michal

Nays—1.

The Constitution, having received the votes on third reading of a majority of the Delegates elected, was declared passed.

Mr. Hamill moved that the Committee on Phraseology and Style now proceed to engross and enroll the Constitution.

And the motion prevailed.

The Convention proceeding on the order of reports of standing committees, Mr. Clarke submitted the following report and moved its adoption:

REPORT.

The Committee on Phraseology and Style herewith submits to the Convention the enrolled Constitution of 1922 caused to be made by this committee, pursuant to the resolution of June 28, 1922.

(Signed) Elam L. Clarke,
Thos. Rinaker,
Charles B. T. Moore,
George A. Barr,
H. E. Torrance,
E. H. Brewster,
Committee.

The question being on the adoption of the report of the committee, it was decided in the affirmative.

Mr. Clarke offered the following resolution and moved its adoption:

Resolution No. 40.

Resolved, That the enrolled Constitution of Illinois, adopted in Convention at the Capitol in the City of Springfield on the 12th day of September, A. D. 1922, be authenticated as follows:

(1) That it first be signed by the President of the Convention;

(2) That it then be attested by the signature of the Secretary;

(3) That the delegates present in alphabetical order of names may then attach their signatures;

That delegates present having authority from absent delegates to sign the names of such absent delegates may do so;

The other delegates may have the privilege of signing the enrolled Constitution in the office of the Secretary of State at any time on or before the 12th day of December, A. D. 1922, their respective signatures to be attested by the Secretary of State; and

That upon authentication as aforesaid, the President of the Convention deliver it to the Secretary of State for record and deposit in his office.

And the resolution was adopted.

Thereupon, in accordance with the foregoing resolution and in the presence of the Convention, the enrolled copy of the new Constitution was duly signed by the President and attested by the Secretary, and in turn signed by each Delegate present, in alphabetical order of names, as follows:

B. H. McCann,
Secretary.

Charles E. Woodward,
President.

Edward E. Adams,
Stanley Adamkiewicz,
Percival G. Baldwin,
George A. Barr,
William H. Beckman,
Rodney H. Brandon,
John J. Brenholt,
Edward H. Brewster,
Charles D. Cary,
Oscar E. Carlstrom,
B. L. Catron,
William H. Chew,
Elam L. Clarke,
E. B. Coolley,
Edward Corlett,
William H. Cruden,
Abel Davis,
Rufus C. Dawes,
Frederic R. DeYoung,
Cyrus E. Dietz,
John L. Dryer,
Henry M. Dunlap,
George A. Dupuy,
Philip E. Elting,
Joseph W. Fifer,
Thomas F. Frole,
Edgar E. Fyke,
George C. Gale,
William Ganschow,
Bruce H. Garrett,
Sylvester J. Gee,
G. Gale Gilbert,
A. F. Goodyear,
William S. Gray,
Henry I. Green,
Charles H. Hamill,
William T. Hollenbeck,
Morton D. Hull,
Michael Iarussi,
Charles H. Ireland,
James P. Jack,
Lewis A. Jarman,
Lawrence C. Johnson,
Watts A. Johnson,
Thomas C. Kerrick,
Ernest Kunde,
George P. Latchford,
Herbert F. Lill,
Cicero J. Lindly,
David E. Mack,
Willard M. McEwen,
Sylvester W. McGuire,
Charles J. Michal,
Amos C. Miller,
Andrew H. Mills,
Charles B. T. Moore,
James Nichols,
Martin J. O'Brien,
James H. Paddock,
Charles V. Parker,
S. E. Pincus,
B. H. Pinnell,
Frank J. Quinn,
Thomas Rinaker,
Michael Rosenberg,
William M. Scanlan,
David E. Shanahan,
Charles A. Shuey,
Rollo Six,
Arthur M. Smith,
Douglas Sutherland,
Albert E. Taff,
Hiram E. Todd,
H. E. Torrance,
William E. Trautmann,
William A. Wall,
Alvin Warren,
Frank S. Whitman,
Walter H. Wilson,
Oscar Wolff,
Charles Woodward,
Henry W. Meinert.

Mr. Green, from the Committee on Submission and Address, reported that Mr. Hamill had prepared an address to the people upon the provisions of the new Constitution and thereupon Mr. Hamill presented the following, which was read at large and unanimously adopted by the Convention:

To the People of Illinois:

Changed conditions and increasing knowledge demand from time to time adjustments in the mechanism of government.

In 1869 the people of this State, already dissatisfied with the Constitution adopted only twenty-one years earlier, elected a Convention to recommend a new Constitution. These men wrought well and in the following year their work was approved at the polls. For fifty-two years, under the Charter then adopted, Illinois has lived and prospered.

As new conditions and increased experience had before dictated change, so in 1918 the people, again persuaded that revision was required, voted for the calling of a Constitutional Convention and in the following year elected one hundred and two delegates charged with the duty of consulting together and of reporting back to those who had elected them. The men of this Convention came from every part of the State and from many different walks in life. On almost every important question there developed among them wide difference in opinions, opinions often tenaciously held and only reluctantly yielded. Now after many months of labor and many other months of recess, during which differences have lessened and heat has cooled, there has come practical unanimity among the delegates and they join in recommending to the people of Illinois a Constitution as it has been hammered out in their deliberations.

It is not to be pretended that the instrument is perfect, or even that it represents all the hopes and wishes of any one man or of any group of men. It is, as was the Federal Constitution and as all such measures must be, the result of compromise. No voter should approach its consideration with the mind to compare it with his ideal, for this is to condemn it in advance. Nor should it be an objection that some desired provision is not found within its pages, unless that provision is in the old instrument. The real and only question presented to the people of Illinois is: Is this proposed new Constitution, framed by your representatives, better than the Constitution under which you now live?

This question must be put and answered in view of the welfare of the whole State and all her population. So, too, it must be put and answered in the knowledge that a Constitution is not, and does not pretend to be, a statutory code. It is the function of a Constitution only to provide for the form of government, to define the powers and duties of the principal agencies of that government, and to put such limitations upon the powers of the government itself as experience has shown are necessary to the preservation of liberty. Under our system, the legislature has all power not denied to it or expressly given to other agencies and so, to the legislature must be left the working out of the details of law. When the legislature makes a mistake, it can be speedily and easily remedied, while mistakes in the Constitution are much more difficult of cure. For these reasons the Convention has wisely confined itself to matters thought to be fundamental, and left to the General Assembly the wide and fruitful field of legislation. In weighing the merits of the Constitution now offered, these considerations should be borne in mind.

In order that the voters may intelligently answer the one question which must be answered by their ballots: "Does the proposed new Constitution, on the whole and in view of the needs of all of the people of the whole State, promise better governmental conditions than the present Constitution?" we who have worked these many months to improve our government, here set forth in brief the principal changes which will be effected and our reasons for believing that they are desirable.

Revenue.

It was the growing belief, finally ripening into deep seated conviction, that the existing taxation system is defective, which principally prompted the calling of the Constitutional Convention. Since the foundation of the State, the Constitution has required that all property should be taxed at a uniform rate. This was an admirable system in the early days and as

long as the community remained homogeneous, with little diversity in property rights and with small accumulations of intangible property. It is the experience, however, of all governments that as population increases and society becomes more complex, the uniform property tax becomes less and less efficient as a means of raising revenue, and more and more inequitable in its distribution of burdens upon the people. As long as most men are of nearly equal wealth and all property consists either of land or personal property of large bulk that cannot be easily concealed, the uniform property tax is both fair and efficient, but as the forms of property multiply and especially as intangible property increases both in amount and in diversity of kind, the uniform property tax becomes less and less adapted to the needs of society. The farm or lot and the houses thereon cannot escape the assessor. So too it is difficult for live stock to be concealed. But diamonds are not paraded on the day when the assessor appears and notes, mortgages, bank balances, bonds and shares of stock are still more fugitive. Because some conceal the property which is easily hidden and so escape taxation, it becomes necessary to raise the rate upon the property which remains visible. The increased rate adds to the temptation to conceal, with the result that still more property disappears from the tax lists and this again results in a higher rate. This interplay of increasing rate and disappearing personal property has resulted in inordinately high rates of taxation upon those forms of property which cannot be concealed, namely, real estate, and tangible personal property. The result has been that the rate of taxation has reached a point where it is recognized by all, even the taxing authorities themselves, that if taxes be levied, as contemplated by law, upon intangible property, a large proportion and, in some instances, all, of the income derived therefrom would be confiscated by the State. The result of this has been that there has grown up in some parts of the State a system of taxation wholly outside the law. Assessors and taxing authorities generally do not expect the owners of intangible property to report all of their holdings, as the law theoretically requires, but have adopted an extra-legal method and seek to make some fair approximation of the relative wealth of the individual taxpayer as compared with his neighbors and asses him accordingly. Any system of taxation which practically forces the taxing authorities to adopt a system of their own, one not contemplated by law, is as vicious as can be because, in effect, it vests in the taxing authorities an unrestrained discretion to discriminate among the taxpayers and reward their friends and punish their enemies. What was therefore originally an admirable system of taxation and still appears theoretically fair has become the means of gross injustice and the potential source of shocking corruption.

The experience of all civilized states in which society has become complex has persuaded students of the subject that only through a diversified system of taxation can revenue in adequate amounts for the needs of the State be raised with a fair distribution of the burden of taxation. In a self-governing community, every citizen must bear his share of the responsibility of Government. Whatever the system of taxation may be, every man, woman and child in the community pays some tax, whether or not they know it. The tax upon the tenement house is recouped by the owner from his tenants and the tax upon the store building is repaid to the owner by his tenant who must make out of his sales of goods enough to compensate him for the additional rent paid and so the tax upon the store building is eventually paid by those who buy the shopkeeper's goods. The citizen, however, who thus pays his tax indirectly is ordinarilly not aware that he pays a tax and is therefore not vigilent in watching and checking the expenditures of government. The man who pays a tax directly is at once informed of his interests in the expenses of government and his cooperation is promptly enlisted in restraining unnecessary and extravagant expenditure. It is estimated that out of the more than three million people in the County of Cook, less than one hundred and fifty thousand directly pay any personal property tax and there are only about three hundred thousand who pay taxes upon real property. The total number of direct taxpayers in Cook county probably does not exceed three hundred and fifty thousand. Of course, each one of the more than three million people pays taxes indirectly. A system which

permits nine-tenths of the people to vote taxes paid directly by one-tenth is an encouragement to thriftless government and does not serve to impress upon the individual citizen the responsibilities which must be felt by every citizen if self-government is to endure.

It is not the function of a Constitution to prescribe the details of taxation. This must rest with the legislative department of the government. With all the experience of the human race it must be confessed that there is no recognized science of taxation. No one call tell in advance just what will be the result of a given tax measure either in its capacity to raise revenue or in its capacity equally to distribute burdens. All that the Constitution can do is to put those limitations upon the power of the General Assembly which will preclude the more glaring inequalities and remove from the legislators the temptation to favor one class as against another.

The present Constitution limits the power of the legislature practically to providing for only one kind of tax. It is important to enlarge the power of the legislature to diversify taxes so that instead of the revenue being all raised by taxes upon real estate and the more obvious forms of personal property, the burden shall be more equitably distributed and the number of those who shall consciously pay taxes shall be recruited from the number of those who, under the present system, pay taxes only unconsciously.

In several states, of recent years, an attempt to accomplish this end has been made by permitting the legislature to classify property, imposing different rates of taxation upon different classes of property. These laws are still in the experimental stage and it was thought by the Convention not wise to permit experiments along these lines which might easily tend towards discrimination in favor of one class of taxpayer as against another.

The income tax, as a measure for raising revenue, distributing the burden of taxation more equitably and relieving real estate and tangible personal property, is no longer in the field of experiment. Income tax laws are upon the statute books of more than a dozen states and the reports from those states indicate that they have been successful in raising revenue in an equitable manner without disturbing business conditions or causing economic distress. Among the states where income tax laws are in successful operation are New York, Massachusetts and Wisconsin. Realizing that the gross inequality in our present system of taxation arises from the ease with which intangible property escapes, we have provided that in lieu of tax by value upon this class of property, the General Assembly may, if it sees fit, tax the income derived from such property, but that if such a tax shall be imposed, it must be substantial and at a uniform rate. In other words, it may not be graduated or progressive.

Realizing too the success with which the general income taxes have operated in all of the states in which they have been tried, we have also framed the new Constitution so that the General Assembly may, if it sees fit, impose a general income tax upon all incomes from whatever source derived. This tax may be graduated and progressive but in order to protect against gross inequality, especially in view of the heavy Federal income taxes, it is provided that the highest rate shall not exceed three times the lowest rate. And in order that the legislature may provide a workable system of income taxes without pressing too hard upon those who are at the margin of subsistence, it is provided that from the general income tax there may be exempted income derived from personal service of not to exceed $1,000 for the head of a family, plus $200 for each dependent child under the age of sixteen years, and not to exceed $500 for any other person. This it was thought would provide for reasonable exemptions and yet would make the income tax so widely distributed as to remove the temptation which otherwise might be present to raise the rates to a point that might be disastrous to the industry of the State.

If a general income tax is imposed household furniture and the implements of agriculture and labor may be exempted from taxes and, in order to avoid the injustice of double taxation, such deductions may be made as will compensate for taxes paid by valuation on the property from which the taxed income is derived. By these provisions it is hoped that the way has been opened to such taxes upon incomes as shall give all citizens the oppor-

tunity of contributing to the support of their State such reasonable amount as they can well afford and as good citizens they will be glad to pay.

The new Constitution still provides, as did the old, that property, if taxed, shall all be taxed at the same rate, but it is hoped that by opening the door to the legislature for the enactment of a reasonable income tax law, a considerable part of the State's revenue may be so raised, with a consequent relief of the burdens now resting upon real property and the more obvious kinds of personal property. By increasing the kinds of taxation, it is, of course, not expected to increase the amount of revenue to be raised. The amount of revenue depends upon appropriations and the more people there are who consciously pay their taxes, the more there will be who will exercise a restraint upon the legislature and local taxing bodies in making appropriations. It is, therefore, to be expected that if the new Constitution is adopted, an opportunity will be afforded to the legislature more equitably to distribute the burdens of taxation and that there will at the same time be added a restraining influence upon extravagance.

The Bill of Rights.

For the most part, the Bill of Rights has been allowed to remain as in the old Constitution but there are a few changes which experience has proved are desirable. Under the existing Constitution, a defendant charged with felony can not waive a jury and submit his cause to a judge. Experience in other states has proved that there is no reason why a defendant, if he be so minded, may not waive a jury in cases other than capital, and permit himself to be tried by a judge. Accordingly, the new Constitution so permits.

Heretofore, no one could be held to answer for a felony except upon indictment by the grand jury. In communities where grand juries are held only at intervals of several months, one arrested who cannot give bail is kept in jail awaiting the action of the grand jury. This has frequently resulted in injustices to the innocent. In the larger communities there are many instances of crime where the proof is clear. In these cases it is a great waste of machinery to require first a preliminary hearing and then an indictment and then a trial before a petit jury and yet, under the existing Constitution, there is no method by which the grand jury hearing can be avoided. Under the proposed Constitution, all felonies, save capital cases, may be prosecuted upon either indictment or information filed by either the Attorney General or the State's attorney, but no such information shall be filed by the State's attorney until after leave granted by the court upon a showing of probable cause. These changes will certainly result in simplifying criminal procedure and expediting prosecutions without the sacrfiice of protection to the innocent.

The new Constitution permits the General Assembly to make women eligible as jurors. It also permits the General Assembly to provide for juries of less than twelve in civil causes. This should result in saving much expense and bring great relief to citizens by diminishing the amount of jury service required and no reason is perceived why litigants should not be as well satisfied with the verdicts of smaller juries as they have been with those of juries of twelve.

One of the defects existing under the present Constitution, especially in the larger cities, is in the operation of that section which requires that every defendant "except for capital offenses where the proof is evident or the presumption great" shall be admitted to bail. Under this section, old seasoned offenders readily obtain bail and are turned out upon the streets to renew their depredations while awaiting trial. Under the new Constitution, the provision with reference to bail is the same as that in the Federal Constitution that "excessive bail shall not be required." It will therefore be within the sound discretion of the judge to whom application for bail is made whether the accused shall be allowed his freedom pending trial. It is to be expected that this discretion will be exercised favorably in the cases of first offenders, but that bail will be denied to those whose past history indicates how their time will be employed if they are not confined. This

change was advocated by the judges and lawyers most experienced in the handling of criminals and should add much to the security of the honest citizen.

Until a few years ago, it was generally supposed that under the existing Constitution, there was nothing to prevent reading in the public school of passages from the Bible and in those communities where public opinion approved this course, the reading of the Bible was customary. A few years ago, however, the Supreme Court, by a majority opinion, held that the Constitution of 1870 forbids the reading of the Bible in the schools. The Convention, though zealous to maintain the American doctrine of the separation of church and state, was convinced that an overwhelming preponderance of public opinion in the State demands that in those communities where public opinion approves, passages of the Bible may be read without comment and without discrimination in favor of one version of the scriptures over another and, accordingly, it is provided in the proposed Constitution that the reading of selections from any version of the old and new testaments in the public schools without comment shall not be in conflict with the Constitution.

Representation in the General Assembly.

By the Constitution of 1870, provision was made for so-called minority representation in the General Assembly. It was hoped by the framers of that Constitution that this provision would secure to the minority party in each senatorial district a chance of being represented, with the result that the General Assembly would more fairly represent the political sentiment of the State. Unfortunately, in practical operation, all of the anticipated benefits have not materialized. Too frequently, by combinations between parties, so few candidates have been nominated that the electors have been practically without choice, with the result that many men have been sent to the General Assembly who have not been qualified for the duties of their office. The experience of the past has consequently indicated the necessity for change and the new Constitution therefore does not provide for minority representation.

When the Constitution of 1870 was adopted, the population of Cook county was less than 350,000 people, out of a total of more than two and one-half million for the whole State. By the census of 1920, the population of Cook county is over three million and fifty thousand out of a total of 6,485,000 for the whole State. In fifty years, therefore, the population of Cook county has grown from less than 14 per cent to more than 47 per cent of the total population of the State. Because they have believed that so large an aggregation of people in one comparatively small area could, and under stress of circumstance would, act as a political unit and so control the destinies of the whole State, the people of other counties have for some years been growing in the conviction that the representation of Cook county in the General Assembly should be in some measure limited and that this large body of consolidated power should not be allowed through its votes in the General Assembly to control the more scattered inhabitants of the State. So strong has this feeling been that, though the Constitution required the State to be reapportioned after each decennial census, there has been no change since the apportionment based on the census of 1900. There were many of the delegates from parts of the State outside of Cook county who insisted that the representation of the people of Cook county in the General Assembly should be limited in both the Senate and the House, while delegates from Cook county, as a unit, opposed such a provision. After many weeks of debate and negotiation, a compromise was finally effected. Heretofore, the State has been divided into fifty-one senatorial districts, each of which elected one senator and three representatives. It is now proposed to increase the senatorial districts to fifty-seven, of which nineteen shall be in the County of Cook and thirty-eight in the rest of the State and that so long as the proposed Constitution shall remain in effect, Cook county shall be limited to nineteen out of fifty-seven members of the Senate. The State is also to be divided into one hundred and fifty-three representative districts in accordance with the numbers of electors, each district to elect one

member of the House. The result of this is that Cook county is definitely limited to nineteen out of fifty-seven members of the Senate but will have the same proportionate representation in the House, based upon the number of voters, which other parts of the State have. With two-thirds of the Senate composed of representatives of down State, Cook county could never force through legislation which was inimical to the interests of that part of the State outside of the County of Cook. On the other hand, as the people of Cook county will have their proportionate representation in the lower House, it is improbable that the people outside of Cook county will ever be able to force upon the people of that county legislation plainly inimical to their interests. Thus if there should arise a conflict of interest between the people of Cook county and the people of the rest of the State each will be protected against the other. In the adjustment recommended the Convention has followed the precedents set by other states. In every state in which a large proportion of the population resides in one political subdivision some limitation is imposed upon the representation in the legislature of that area. In order to avoid a continuance or repetition of the neglect of the General Assembly to reapportion the State periodically as ordered by the Constitution it is provided that if the General Assembly shall fail to make any apportionment it shall be the duty of the Secretary of State, the Attorney General and the Auditor of Public Accounts to make the apportionment within ninety days after the adjournment of the regular session of the year designated for that purpose.

The Judiciary.

Notable changes are suggested in the organization and operation of the courts. Although more than one-half of the people of the State live, and more than one-half of the litigation which goes to the Supreme Court originates, in the Seventh Judicial District, which includes Cook county, under the present Constitution that district elects only one member of the Supreme Court and the rest of the State, containing less than half of the population and furnishing less than one-half of the court's business, elects six of the justices. It is proposed that this shall be changed so that the court shall consist of nine justices, three to be elected from the Seventh District, of whom not more than two shall come from the same county. The Supreme Court has for years been overburdened with the number of cases it has had to pass upon and an increase in the number of justices should lighten the burden of each member of the court, and expedite its work.

Under the previous Constitutions it has been the custom for the legislature to pass laws prescribing the practice, pleading and procedure in courts. This has long been recognized as of doubtful value. While the practice has perhaps not been inadequate in the less thickly settled communities, it has not lent itself to the expeditious dispatch of business in the larger cities and the result has been that the courts have been clogged and litigants have been sometimes so delayed in securing their rights that the delay has amounted to a denial of justice. Under the proposed Constitution, the Supreme Court will have the power to prescribe the rules of pleading, practice and procedure and with its experience, passing, as it must, daily upon the records of the trials made in the lower courts, it should be best able to judge of the changes that can advantageously be made for the speedy and sure administration of justice.

Indeed it is arguable that the making of laws by the General Assembly regulating the practice in courts is an invasion of the power of the courts and violative of the constitutional division of governmental powers into the three divisions of executive, legislative and judicial. It would seem doubtful if, consistently with this doctrine, the legislature can have more power or right to prescribe how the courts should function than the courts have to dictate how the legislature shall proceed about its business. An independent judiciary is the strongest bulwark of the individual's liberty.

No citizen can tell when the day may come when his all may depend upon the proper functioning of the courts and no citizen therefore can afford

to be indifferent to the methods by which justice is administered between man and man. Indeed, it may be said that the primary purpose of all government is the administration of justice. It is confidently believed that by vesting in the courts themselves, especially the Supreme Court, the duty and right to prescribe how they shall function, a great advance will be made in securing to every citizen what the Constitution has always said he was entitled to: "Every person ought to find a certain remedy in the law for all injuries and wrongs which he may receive in his person, property or reputation. He ought to obtain right and justice by law, freely, without being obliged to purchase it, completely and without denial, promptly and without delay." Protection against possible abuse of power by the Supreme Court in making its rules is afforded by a provision which permits the General Assembly to set aside by special law any rule of pleading, practice or procedure.

Long since it was found to be impossible for the Supreme Court to review the decisions in all of the cases in which appeals were prayed from the lower courts and the legislature therefore created four Appellate Courts to which the judges have been appointed by the Supreme Court, being chosen from the members of the Circuit Court. In later years, it has developed that frequently the judges can be spared for work in the Appellate Court only at great inconvenience to litigants in the Circuit Courts whose business is delayed by the additional duties imposed upon the Circuit Court judges. Under the new Constitution the judges of the Appellate Court will not be judges of the Circuit Court. The existing law properly recognizes that the duty of reviewing the decisions of the lower courts rests primarily upon the justices of the Supreme Court, to be discharged either directly by themselves or through the Appellate Courts appointed by them, but it has been a mistake to require that the judges of the Appellate Court should be selected only from the Circuit Court judges. Accordingly, the new Constitution proposes that the members of the Appellate Courts may be selected by the Supreme Court without any restriction except that they must be resident within the district for which appointed, and as all judges of the Supreme, Appellate and Circuit Courts must be, at least thirty-five years of age and licensed to practice law in this State for at least ten years. It is the belief of the delegates to the Convention, many of whom are lawyers of large experience, that these provisions should both increase the usefulness of the Appellate Courts and bring needed relief to the Circuit Courts.

There will be no more Probate Courts but there will be a County Court in each county with one judge and an additional judge for each 50,000 of population over the first 50,000. The County Courts will have all the jurisdiction heretofore vested in Probate Courts and concurrent jurisdiction with the Circuit Courts of testamentary trusts, construction of wills and partition of real estate where any such proceeding is incidental to its original jurisdiction, exclusive jurisdiction of appeals from justices of the peace and such other jurisdiction as may be provided by law. The County Court will sit at the county seat and also in such other cities in the county as may provide suitable facilities for holding court.

The principal ground of criticism of justices of the peace and constables has been found in the fee system. They will no longer be compensated by fees but are to receive salaries from their respective towns or districts, to be fixed by the county board, and any town or district may, by a majority vote of the electors, abolish or restore both justices of the peace and constables.

Circuit Courts as heretofore, will sit at the county seats, and if any city of more than 5,000 population maintains suitable facilities for holding court, the Circuit Court may also sit there. City courts are abolished.

The Circuit, Superior, Criminal, County and Probate Courts of Cook County, the Municipal Court of Chicago, and the City Court of Chicago Heights are all consolidated into one Circuit Court, with a civil and a criminal division. The Supreme Court will assign the judges of the Circuit Court of Cook County to the different divisions and designate a chief justice of each of the divisions. The Supreme Court may authorize the chief justices of the two divisions jointly with the advice and consent of the judges of the

Circuit Court to appoint assistants who shall have such judicial and other powers as the Supreme Court may prescribe.

Recognizing that the vesting of all jurisdiction in one court is in some measure experimental, we have provided that after five years from the adoption of the new Constitution, the General Assembly may divide the circuit into two courts subject to a referendum to the voters of Cook county. By those who have made the most careful study of the workings of the courts in many jurisdictions, it is confidently believed that by vesting all of the judicial business of a large community like Cook county in one court, there will be a great saving of expense and energy and that the people's business before the courts will be transacted with greater dispatch and economy.

Executive Department.

The principal change suggested in the Executive Department is that a Treasurer shall be elected every four instead of every two years and shall be ineligible for re-election for four instead of two years. The required age of the Governor and Lieutenant Governor is increased from thirty to thirty-five years. There is also a provision requiring each officer of the Executive Department and the chief officer of each public institution to make a sworn semi-annual report to the Governor of all moneys received or disbursed and also, at least ten days before the beginning of the regular session of the General Assembly, to report the condition of his office to the Governor who shall transmit the reports to the General Assembly.

The State Treasurer is required, as part of each semi-annual report, to show the daily balances of State funds in every bank and to accompany his report with a sworn statement of an executive officer in charge of each bank, showing the payment of interest and other compensation made and to be made by reason of such deposit. The effect of this should be to insure that the State shall receive the benefit of all interest earned upon its deposits.

The State Auditor is also required to prescribe and supervise a uniform system of accounts for all county officers. This should give an added guarantee of the efficiency and honesty of county officers.

Counties.

The form of government of counties may be changed by law uniform as to class of counties, but such change shall become effective in a county only after approval by a majority of those voting on the question. This is a highly important provision relieving from the rigidity of constitutional mandate the government of the county and giving to the people of each county a fair measure of self determination. The sheriff is to be allowed to succeed himself, as he may not under present law. Each county (other than Cook) is to have an assessor, which should produce within the county an equality of taxation not now accomplished.

Legislative Department.

Some provisions regulating the procedure of the General Assembly which have been dictated by experience are incorporated in the new Constitution. For instance, when the two Houses have failed to agree on an appropriation bill and it has been referred to a Conference Committee, there has been opportunity to insert in the Conference Committee's report items of appropriation not discussed in either House and to secure the passage of the Conference Committee's report during the closing hours of the session. In this procedure there has been abundant room for ill-considered and unwise appropriations. Accordingly, it is provided in the proposed new Constitution that no subject matter shall be considered in any Conference Committee report on an appropriation bill unless such matter directly relates to matters of differences between the two Houses and has been specially referred to the Conference Committee, nor shall the report of the Conference Committee be acted upon until it shall have been printed and put upon the

desks of the members at least three legislative days before it is considered. This will furnish an added and highly desirable protection against unwise appropriations.

It is further provided that no general law shall take effect until sixty days after the adjournment of the session at which it was enacted. Under the existing Constitution, laws take effect upon July 1 after the adjournment. The time intervening between adjournment and July 1 is commonly too short for any publicity, so that the people of the State are frequently subject to obey laws of which they have never heard and of which there are no ready means of acquiring information.

The legislature is to be permitted to pass laws for lending money upon farm lands in the State but only on approval of a majority of the voters at a general election. Such loans shall be amortized in not to exceed thirty-three years and must be secured by first mortgage made by those who own, occupy, and cultivate the land. In making loans, reasonable preferences are to be given to persons honorably discharged from the armed forces of the United States. Under this provision it is believed that the General Assembly may, if it thinks wise, institute a system of aid and encouragement to the tillage of the soil by owners rather than by tenants.

The General Assembly also may authorize cities, villages and incorporated towns to adopt reasonable regulations governing the use and appearance of land and the location, appearance, size and use of structures, and to divide territory into zones to each of which special regulations may be applied. This is the so-called zoning provision and is intended to give to cities and villages the power to regulate buildings in such a way as to produce a more harmonious and logical development. Experimentation with this system in cities in other states gives good reason to believe that desirable results will follow and that, on the whole, values of real property will so be conserved.

Chicago Home Rule.

Among the most troublesome questions which of late years have come before the General Assembly have been those which have peculiarly affected the City of Chicago. A large part of the time and thought of the State's legislators has been consumed in the consideration of problems peculiar to one comparatively small locality. In the nature of things, men do not give that same careful consideration to questions which do not concern them or their constituents which they give to questions in which they or their constituents are directly interested. The Convention was therefore persuaded that it was wise to remove from the field of the General Assembly's activities and to vest in the authorities of the City of Chicago, just so far as possible, all questions which affect the city and do not affect the rest of the State. Accordingly, it is provided that, subject to the right of veto in the General Assembly, Chicago is to possess, for all municipal purposes, full and complete power of local government and corporate action, but may not impose taxes or borrow money except as authorized by the General Assembly or by the Constitution itself. The city may call an elective convention to frame a new charter, but the work of the convention must be submitted to the voters of the city for adoption. The charter so framed shall prevail over State laws so far as the organization of the city government, the distribution of powers and the tenure and compensation of its officers and employees are concerned.

Subject to regulation by general law, the city may acquire, construct, operate, sell, pledge, lease or let public utilities or buy or sell the service thereof. The consent of the city is required to the creation, enlargement or consolidation of any municipal corporation (except the county) exercising taxing powers within the city. If the city adopts a charter, it may provide for the consolidation with the city of any or all local governments or other authorities, in whole or in part, exercising powers confined to the city limits. The charter may also provide for a consolidation with the city of the Sanitary District of Chicago, but the city shall not exercise any taxing powers outside of its own limits.

In addition to any other indebtedness permitted, the city may, after approval by the voters at a referendum election, issue bonds for the purpose of acquiring, leasing, constructing or operating income-producing properties for supplying transportation or water, but before the issuance of any such bonds the city must provide for the collection of a direct annual tax sufficient to pay the interest on the bonds and the principal thereof, within forty years. After the city shall have issued bonds for such purpose, at least four months before any tax levied for the payment of principal and interest of the bonds becomes collectible, the city must deposit with the city treasurer out of the gross earnings of the utility, a sum equal in amount to such tax, which shall be used for the payment of the principal and interest and to the extent that such funds are so deposited, the tax shall not be collected. The city is further required, if it shall have acquired utilities pursuant to this section, to maintain such rates for service as will be sufficient to pay the principal and interest of the bonds issued for its acquisition and the cost and expense involved in or incidental to the ownership, operation and maintenance thereof. Any taxpayer shall have the right to apply to the Circuit Court of Cook County to enforce these obligations.

The purpose of these provisions, as may be clearly seen, is to permit the City of Chicago, if a majority of its citizens so desire, to acquire and operate transportation and water systems but only on condition that such rates shall be charged as shall make the utilities so acquired self-supporting. In other words, the city may not acquire a transportation system and furnish to its patrons service at less than cost and compel the citizens generally to bear the deficit through general taxation. The plan, it is believed, offers a sound and safe method by which the people of Chicago may, if they desire it, construct any system of transportation or acquire any traction properties, and operate them or lease them for private operation, as they may elect, without imposing upon the taxpayers of the city the burden of paying for properties which have been unwisely bought or unsuccessfully operated.

Other Revisions.

Among the other changes which will be effected are these: (1) In Cook county supervision of elections will not after 1925 rest with the county judge, but will be subject to some elective officer or officers. It is not consistent with the true functions of a judge that he should be burdened with the administration of the necessarily complicated election machinery. (2) Public money cannot be paid to sectarian institutions when public institutions are available and when it is paid it shall not exceed the cost of maintaining during their terms of commitment, neglected, defective, dependent or delinquent persons committed by courts to agencies under public inspection. There is always danger in permitting public money to be paid to private institutions and this section would seem adequately to protect both the wards of the State and the taxpayer. (3) Frequent elections are one of the burdens of citizenship, especially when polling places are far from residences. Accordingly, it is provided that outside of the County of Cook all elections are to be held on one day in November. In the even years State and Federal officers will be elected and in the odd years the county and local officers.

A frequent complaint against the existing Constitution has been its rigidity, the difficulty of amending it. It is of the nature of a Constitution that it should have a degree of permanence. It is not intended to voice transient opinions but to express the considered convictions of the people upon fundamental questions. It should not, therefore, be the subject of whim or caprice. On the other hand a Constitution is but the product of human beings, prone to err. There must, therefore, be some method by which it can be corrected without too great effort, nor should a small minority be allowed long to block the way of a determined and continuing majority to amend their form of government. The objections to the amending clause of the present Constitution are justified and we have accordingly relaxed the provision by allowing amendments to be proposed by the General Assembly to two articles, instead of only one, at the same session, and have changed the prohibition upon proposing an amendment to the same

article oftener then once in four years so as to make it apply only to a section instead of an article. If a Convention shall be called to recommend a revision of the Constitution it will be composed, as under the present Constitution, of two delegates from each senatorial district, but to compensate for the limited number of districts in Cook county there shall be elected from that county seven members at large.

These are the principal changes effected by the proposed new Constitution. There are, of course, other alterations, but they are of less moment and it is impracticable here to detail them. The whole Constitution has been re-written and greatly improved in phrasing and arrangement. Although covering several subjects not dealt with in the Constitution of 1870, it contains about fifteen hundred fewer words than that instrument.

Conclusion.

The highest and noblest political activity of a self-governing people is the adoption of a Constitution. History affords no nobler conception of government than that which contemplates self-respecting and intelligent human beings deliberately considering and voluntarily adopting rules which shall be binding upon themselves, and to which they shall first owe obedience.

The people of Illinois are now called upon for the first time in fifty-two years to enter upon this serious undertaking. The delegates to the Convention have constituted but a committee to consider the changes that may to them seem desirable, and to recommend such changes to the ultimate sovereign, the people. With the people must rest the responsibility. We, of the Convention, have spent many months of patient labor upon this work. By the committees to which were first referred the proposals all citizens who desired to be heard were given opportunity to express their views. Infinite pains have been taken to ascertain the sentiments of the people of the State and like pains have been taken to express these sentiments in formal rules of law.

To our fellow citizens of the State of Illinois, by whom we were selected to perform the important task of formulating a Constitution, and to whom we have never failed to recognize our responsibility, we now submit the results of our labor, confident that the people in their wisdom will duly weigh the advantages of the offered Constitution as compared with that under which we now live and will by their ballots render a just and wise decision.

On December 12, 1922, the election will be held to determine whether our judgment of the welfare of the State shall be approved. On that date every man and woman who loves his or her State should glory to discharge the highest political duty of free men and free women and register their opinions at the polls.

Mr. Davis offered the following resolution and moved its adoption:

Resolution No. 41.

Resolved, That the address to the people adopted by this Convention be authenticated by the signature of the President and attested by the signature of the Secretary and be delivered by the President to the Secretary of State.

And the resolution was adopted.

Mr. Davis offered the following resolution and moved its adoption:

Resolution No. 42.

Resolved, That the President of the Convention is hereby authorized and directed to have printed not less than one million copies of the Constitution annotated together with the address to the people; that the President distribute 1,000 copies of such annotated Constitution and address to each Delegate and that the remaining copies be distributed as the President may direct; that the President is further authorized and directed to have printed not less than 10,000 copies of said address to the people; that the President

distribute 25 copies of such address to each Delegate and that the remaining copies be distributed as the President may direct; that the President is hereby authorized and directed to have printed, and bound in a suitable manner, 130 facsimile copies of the enrolled Constitution from the original setting of type for such enrollment, one copy for each Delegate, one copy for the family of each deceased Delegate, one copy for each Delegate who has resigned, one copy for each of the present elective State officers, one copy to the State Library, one copy to the Historical Library, one copy to the Supreme Court Library, one copy to each of the four Appellate Court Libraries, two copies to the University of Illinois, one copy to the Legislative Reference Bureau of the State and the remaining copies to be distributed as the President may direct.

And the resolution was adopted.

Mr. Whitman offered the following resolution and moved its adoption:

RESOLUTION No. 43.

Resolved, That bound copies of the printed documents of this Convention be distributed by or under the direction of the President, as follows:

To each Delegate of the Convention:

One copy of each proposal offered;

Five copies of the journal of the Convention;

Five copies of the journal of the Committee of the Whole;

One copy of the reports of standing committees on proposals reported by such committees, except the reports of the Committee on Phraseology and Style;

Two copies of the reports of the Committee on Phraseology and Style;

Ten copies of the debates of the Convention.

To the Governor, Lieutenant Governor, Secretary of State, Auditor of Public Accounts, Treasurer, Attorney General, Superintendent of Public Instruction and to each Justice of the Supreme Court, one copy of the debates.

To Illinois State Library, the Illinois Historical Library, the Illinois Supreme Court Library, each Appellate Court Library, the Legislative Reference Bureau, the Library of the University of Illinois, the Law Library of the University of Illinois, each five copies of each of such documents.

To each public library and each college library in the State, one copy of the debates of the Convention.

To the Secretary of State, the remaining copies for general distribution.

And the resolution was adopted.

The President laid before the Convention the following report:

In accordance with section 6 of an Act entitled, "An Act to assemble a Convention to revise, alter or amend the Constitution of the State of Illinois," approved June 21, 1919, in force July 1, 1919, the President reports that on the first day of February, A. D. 1922, he certified to the Auditor of Public Accounts the pay, mileage and allowance for the Delegates to the Convention elected to fill vacancies, as follows:

	Pay.	Mileage.	Allowance.
Adam Adamkiewicz	$2,000 00	$37 20	$50 00
Edward E. Adams	2,000 00	5 40	50 00
Charles D. Cary	2,000 00	29 20	50 00
B. L. Catron	2,000 00	.....	50 00
B. H. Pinnell	2,000 00	22 60	50 00
George W. Tebbens	2,000 00	37 50	50 00
Totals	$12,000 00	$131 90	$300 00

Respectfully submitted,

(Signed) CHARLES E. WOODWARD,
President.

In the Hall of the House of Representatives, this
twelfth day of September, A. D., 1922.

The President laid before the Convention the further report of the expenses of the Convention, as follows:

Financial Report of the President.

The President submits herewith a report of the vouchers signed by him under the provisions of an Act entitled "An Act to assemble a Convention to revise, alter or amend the Constitution of the State of Illinois," approved June 21, 1919, in force July 1, 1919; and of an Act entitled, "An Act to appropriate the unexpended balance of the appropriation made by an Act entitled, 'An Act to assemble a Convention to revise, alter or amend the Constitution of the State of Illinois,' approved June 21, 1919, in force July 1, 1919," approved June 24, 1921, in force July 1, 1921.

This report includes all vouchers issued up to and including September 11, A. D. 1922.

Date.	To whom payable.	Voucher number.	Total.	Secretary of convention.	Official reporter.	Employees under resolution.	Committee expense.	Incidental expenses printing journals.	Rent of typewriters.	General expense.	Hand books.	Postage.	Telegraph and telephone.	Paper stock.
1920														
Jan. 29	Western Union Telegraph Co., time service	1	$ .36							$ .36				
Feb. 5	Royal Typewriter Co., rent of typewriters	2	9.00						$ 9.00					
Jan. 22	L. C. Smith & Bros., rent of typewriters	3	20.00						20.00					
Jan. 26	Bradner-Smith & Co., paper stock	4	3,413.10											$3,413.10
Jan. 29	Illinois State Journal, printing	5	148.21					$148.21						
Feb. 3	Wm. H. Conkling, P. M., postage	6	50.00									$50.00		
Feb. 5	L. C. Smith & Bros., rent of typewriters	7	20.00						20.00					
Feb. 4	Western Union Telegraph Co., time service	8	1.25							1.25				
Feb. 5	Illinois State Journal, printing	9	15.38					15.38						
Feb. 3	Pay roll, month of January	10	3,457.57	$390.00	$600.00	$2,467.57								
Feb. 6	Striffler Ice & Fuel Co., January ice	11	6.30							6.30				
Feb. 9	Geo. W. Hudson, rubber stamps	12	2.40							2.40				
Feb. 9	Jefferson Printing Co., sundry supplies	13	8.80					8.80						
Feb. 9	Illinois State Journal, printing	14	5.21					5.21						
Feb. 10	Royal Typewriter Co., rent of typewriters	15	25.00						25.00					
Feb. 14	Pay roll, February 1 to 14 incl	16	4,254.06		700.00	3,554.06								
Feb. 14	Pay roll, Secretary's salary Feb. 1 to 14	17	210.00	210.00										
Feb. 16	A. C. Brown, 1½ dozen roses	18	6.00							6.00				
Feb. 16	Burr-Vack Co., 2 dozen No. 4 Handy clips	19	3.20							3.20				
Feb. 17	Jacob Freisch & Co., sundry supplies	20	32.90							32.90				
Feb. 17	Western Union Telegraph Co., January telegrams	21	4.12										$4.12	
Feb. 17	Meyer Electric Co., lamps	22	46.66							46.66				
Feb. 17	Phillips Bros., printing proposals	23	470.29					470.29						
Feb. 9	Illinois State Journal, printing letterheads	24	1.15					1.15						

Feb. 28	C. D. Roberts & Co., towel service	25	42.25							42.25					
Feb. 19	Wm. H. Conkling, P. M., postage	26	25.00									25.00			
Feb. 26	E. E. Caldwell, extra clerical work	27	55.00			55.00									
Feb. 26	Mrs. Grace D. Hall, extra stenographic work	28	25.00			25.00									
Feb. 28	Pay roll, Feb. 15 to 29, inclusive	29	4,378.63		750.00	3,628.63									
Feb. 28	Pay roll, Secretary's salary Feb. 15-29	30	225.00	225.00											
Mar. 2	L. C. Smith & Bros., rent of typewriters	31	10.00						10.00						
Feb. 28	E. E. Caldwell, extra clerical work	32	37.50			37.50									
Mar. 2	Mrs. Grace D. Hall, extra clerical work	33	12.50			12.50									
Mar. 2	W. B. Miller & Son, key blanks	34	16.85							16.85					
Mar. 2	H. L. Mussillon, repair door check and keys	35	1.75							1.75					
Mar. 2	L. C. Smith & Bros., rent of typewriters	36	30.00						30.00						
Mar. 3	Jacob Frisch & Co., drinking cups	37	38.35							38.35					
Mar. 4	Striffler Ice & Fuel Co., February ice	38	14.00							14.00					
Mar. 4	A. Dirksen & Sons, 104 yards linoleum	39	208.00							208.00					
Feb. 25	John Bressmer & Co., 1 pitcher	40	1.25							1.25					
Mar. 4	Underwood Typerwriter Co., rent of typewriters	41	1.75						1.75						
Mar. 4	Western Union Telegraph Co., March time service	42	1.25							1.25					
Mar. 4	Typewriter Service Co., repairing typewriters	43	1.00						1.00						
Mar. 4	Kerns-Baker, Inc., brushes	44	3.00							3.00					
Mar. 4	Royal Typewriter Co., rent of typewriters	45	9.00						9.00						
Mar. 5	Illinois State Journal, letterheads, etc	46	152.34					152.34							
Mar. 9	Robt. Woodmansee, salary Feb. 29 to Mar. 9, inclusive	47	15.43			15.43									
Mar. 10	Mrs. May Hashman, salary stenographer Feb. 15 to 29	48	62.50			62.50									
Mar. 10	Alta Clark, salary stenographer Feb. 15 to 29	49	62.50			62.50									
Mar. 10	Catherine H. Paget, salary stenographer Feb. 15 to 29	50	62.50			62.50									
Mar. 10	Sally Perkins, salary postmistress Feb. 15 to 29	51	62.50			62.50									

FINANCIAL REPORT—Continued.

Date.	To whom payable.	Voucher number.	Total.	Secretary of convention.	Official reporter.	Employees under resolution.	Committee expense.	Incidental expenses printing journals.	Rent of typewriters.	General expense.	Hand books.	Postage.	Telegraph and telephone.	Paper stock.
1920														
Mar. 10	Howard Fuller, salary clerk Feb. 14 to 29	52	$ 197.58			$ 197.58								
Mar. 10	John Stubblefield, salary assistant Sergeant-at-Arms Feb. 29	53	62.50			62.50								
Mar. 11	Wm. H. Conkiing, P. M., postage	54	50.00									$50.00		
Mar. 15	Phillips Bros., printing proposals	55	920.21					$920.21						
Mar. 15	Pay roll, Mar. 1 to 15, inclusive	56	4,713.90		$750.00	3,963.90								
Mar. 15	Pay roll, Secretary's salary Mar. 1 to 15 inclusive	57	225.00	$225.00										
Mar. 15	Mrs. Grace D. Hall, extra stenographic work	58	12.50			12.50								
Mar. 15	E. E. Caldwell, extra clerical work	59	27.50			27.50								
Mar. 16	Capital Engraving Co., etching "seat plan"	60	4.32					4.32						
Mar. 16	Springfield Mine Sales Agency, stencil paper	61	3.00							$ 3.00				
Mar. 16	Crowley Broom Shop, 1 dozen brooms	62	12.00							12.00				
Mar. 16	Best Test Co., liquid soap	63	6.25							6.25				
Mar. 16	Rose-Weis Printing Co., stationery	64	19.35					19.35						
Mar. 16	Wm. H. Conkling, P. M., postage	65	25.00									25.00		
Mar. 15	Paul S. Jones, Agent, rent of typewriters	66	25.00						$25.00					
Mar. 17	Illinois State Journal, stationery	67	38.61					38.61						
Mar. 17	John J. Gorman, expense funeral delegate M. F. Sullivan	68	85.00							85.00				
Mar. 17	Hembreker & Cole, plant Senator Curtis' desk	69	3.25							3.25				
Mar. 17	Sally Perkins, postmistress, salary Jan. 6 to 13, inclusive	70	32.26			32.26								
Mar. 17	Ray Simmons, salary press messenger to Jan. 13	71	38.71			38.71								
Mar. 17	H. T. Ireland, salary 1st assistant Sergeant-at-Arms to Jan. 13	72	38.71			38.71								
	E. M. Gullick, salary assistant secretary to Jan. 13	73	70.97			70.97								

Mar. 17	Chas. W. Baldwin, salary assistant secretary to Jan. 13	74	51.61			51.61									
Mar. 17	Rev. John T. Thomas, salary chaplain to Jan. 13	75	20.00			20.00									
Mar. 17	Jas. Livingstone, salary stenographer Jan. 6 to 13, inclusive	76	38.71			38.71									
Mar. 17	Alice M. Stewart, salary private secretary Jan. 12 and 13	77	5.81			5.81									
Mar. 17	Thos. Sheridan, salary assistant Sergeant-at-Arms Jan. 6 to 13	78	32.26			32.26									
Mar. 17	Jos. Cernellone, salary janitor Jan. 6 to 13	79	27.10			27.10									
Mar. 17	Floyd Simmons, salary proof reader Jan. 6 to 29	80	111.29			111.29									
Mar. 17	Wm. J. Corris, salary reporter Jan. 15 to 20	81	250.00		250.00										
Mar. 25	Royal Typewriter Co., rent of typewriters	82	9.00						9.00						
Mar. 25	L. C. Smith & Bros., rent of typewriters	83	20.00						20.00						
Mar. 25	Phillips Bros., printing proposals	84	390.57					390.57							
Mar. 30	Illinois State Journal, printing journals, etc	85	570.04					570.04							
Mar. 30	Rose-Weis Printing Co., 1 M envelopes	86	2.40					2.40							
Mar. 30	Illinois Litho-Label Co., 25 M letterheads	87	30.25					30.25							
Mar. 30	Mrs. Grace D. Hall, extra clerical work	88	12.50			12.50									
Mar. 30	Schnepp & Barnes, 500 rules of Con. Con	89	20.74					20.70							
Mar. 30	Harry Watson, engrossing	90	45.00							45.00					
Mar. 30	Paris Cleaning Co., black material cleaned	91	.50							.50					
Mar. 30	Schnepp & Barnes, 3500 hand books	92	114.65								$114.65				
Mar. 30	E. E. Caldwell, extra clerical work	93	27.50			27.50									
Mar. 31	Pay roll, Mar. 16 to 31, inclusive	94	4,564.01		800.00	3,764.01									
Mar. 31	Pay roll, Secretary's salary Mar. 16 to 31, inclusive	95	240.00	240.00											
Mar. 31	Pay roll, (pages) Mar. 16 to 31, inclusive	96	212.57			212.57									
Mar. 31	Central Union Telephone Co., toll calls	97	7.15										$7.15		
Mar. 31	Western Union Telegraph Co., telegrams	98	.93										.93		
Mar. 31	Typewriter Service Co., repairs to typewriters	99	16.75						16.75						

FINANCIAL REPORT—Continued.

Date.	To whom payable.	Voucher number.	Total.	Secretary of convention.	Official reporter.	Employees under resolution.	Committee expense.	Incidental expenses printing journals.	Rent of typewriters.	General expense.	Hand books.	Postage.	Telegraph and telephone.	Paper stock.
1920														
Apr. 15	Pay roll, Apr. 1 to 15, inclusive	100	$4,468.33		$750.00	$3,718.33								
Apr. 15	Pay roll, (pages) Mar. 28 to Apr. 10	101	215.99			215.99								
Apr. 15	Pay roll, (Secretary) salary Apr. 1 to 15, inclusive	102	225.00	$225.00										
Apr. 15	Mrs. Grace D. Hall, extra clerical work	103	12.50			12.50								
Apr. 15	E. E. Caldwell, extra clerical work	104	27.50			27.50								
Apr. 14	Striffler Ice & Fuel Co., March ice	105	16.10							$ 16.10				
Apr. 14	Hettie Martin Sheets, expenses to Chicago and return	106	49.20				$49.20							
Apr. 20	L. C. Smith & Bros., rent of typewriters	107	40.00						$40.00					
Apr. 15	Hembreker & Cole, flowers Curtis funeral	108	50.00							50.00				
Apr. 15	F. T. Dirksen, repair office chairs	109	4.75							4.75				
Apr. 15	American Railway Express Co., express on soap	110	.98							.98				
Apr. 20	Phillips Bros., printing proposals	111	68.06					$68.06						
Apr. 20	Jefferson Printing Co., 1 record binder, etc	112	36.00							36.00				
Apr. 20	Illinois State Journal, stationery and printing	113	17.51					17.51						
Apr. 20	Royal Typewriter Co., rent of typewriters	114	9.00						9.00					
Apr. 20	Central Union Telephone Co., toll service	115	1.05										$1.05	
Apr. 20	Bradner-Smith & Co., 1 car of paper	116	4,385.28											$4,385.28
Apr. 21	Maude Graham, salary Apr. 10 to 15, inclusive	117	41.67			41.67								
Apr. 19	Royal Typewriter Co., rent of typewriters	118	25.00						25.00					
Apr. 21	C. D. Roberts & Co., towel service, March	119	32.50							32.50				
Apr. 22	Wm. H. Conkling, P. M., postage	120	25.00									$25.00		

pr. 23	Central Union Telephone Co., toll service	121	4.95										4.95	
Apr. 23	Western Union Telegraph Co., telegrams, March	122	2.68										2.68	
Apr. 27	Lola Bond Ornellos, salary Apr. 15 to 26, inclusive	123	45.83			45.83								
Apr. 27	American Railway Express Co., express on stationery	124	4.03						4.03					
Apr. 30	Pay roll, Apr. 15 to 30, inclusive	125	4,474.16		750.00	3,724.16								
May 1	Pay roll (pages), Apr. 10 to May 1, inclusive	126	324.00			324.00								
May 1	Pay roll, (Secretary) Apr. 15 to 30, inclusive	127	225.00	225.00										
Apr. 30	E. E. Caldwell, extra clerical work	128	27.50			27.50								
Apr. 30	Mrs. Grace D. Hall, extra clerical work	129	12.50			12.50								
Apr. 28	Jefferson Printing Co., sundry office supplies	130	266.98						266.98					
Apr. 29	John Bressmer Co., sundry supplies	131	29.74						29.74					
Apr. 29	L. C. Smith & Bros., rent of typewriters	132	10.00					10.00						
Apr. 29	Jacob Freisch & Co., 5 M drinking cups	133	31.25						31.25					
Apr. 29	Bradner-Smith & Co., 1 M envelopes	134	11.27				11.27							
May 5	Cancelled	135												
June 29	Illinois State Journal, printing and stationery	136	8.65				8.65							
May 20	Western Union Telegraph Co., Time service, May	137	1.25						1.25					
May 8	Bradner-Smith & Co., 1 car paper	138	3,690.53											3,690.53
May 15	Pay roll, May 1 to 15, inclusive	139	4,524.92		750.00	3,774.92								
May 15	Pay roll (pages), May 1 to 15, inclusive	140	216.00			216.00								
May 15	Pay roll, (Secretary) May 1 to 15, inclusive	141	225.00	225.00										
May 15	E. E. Caldwell, extra clerical work	142	27.50			27.50								
May 15	Mrs. Grace D. Hall, extra clerical work	143	12.50			2.50								
May 15	H. T. Bowman, night phone operator	144	12.92			12.92								
May 15	Urban A. Lavery, expenses as clerk	145	95.00					95.00						
May 18	Phillips Bros., printing proposals	146	24.74				24.74							
May 20	L. C. Smith & Bros., rent of typewriters	147	30.00					30.00						

FINANCIAL REPORT—Continued.

Date.	To whom payable.	Voucher number.	Total.	Secretary of convention.	Official reporter.	Employees under resolution.	Committee expense.	Incidental expenses printing journals.	Rent of typewriters.	General expense.	Hand books.	Postage.	Telegraph and telephone.	Paper stock.
1920														
May 18	Striffler Ice & Fuel Co., ice, April	148	$ 15.40							$ 15.40				
May 18	Central Union Telephone Co., telephone tolls	149	4.95										$4.95	
May 20	John Bressmer Co., sundry supplies	150	25.75							25.75				
May 20	Illinois State Journal, printing journals, etc	151	288.40					$288.40						
June 29	Illinois State Journal, printing journals, etc	152	141.63					141.63						
May 20	Royal Typewriter Co., rent of typewriters	153	25.00						$25.00					
May 20	Royal Typewriter Co., rent of typewriters	154	5.00						5.00					
May 20	Rose-Weis & Co., printing	155	3.00					3.00						
May 20	Wm. H. Conkling, P. M., postage	156	25.00									$25.00		
May 25	Phillips Bros., printing proposals	157	37.32					37.32						
May 25	Springfield Mime Sales Co., stencil paper	158	3.00							3.00				
May 25	Illinois State Journal, printing proposals	159	2.87					2.87						
May 25	Jefferson Printing Co., hand books	160	642.35							642.35				
May 31	Pay roll, May 15 to 31, inclusive	161	4,635.00		$800.00	$3,835.00								
May 31	Pay roll, (pages) May 15 to 29, inclusive	162	236.57			236.57								
May 31	Pay roll, (Secretary) May 15 to 31, inclusive	163	240.00	$240.00										
May 26	Mrs. Grace D. Hall, extra clerical work	164	12.50			12.50								
May 26	E. E. Caldwell, extra clerical work	165	27.50			27.50								
May 26	Urban A. Lavery, expenses May 15 to 31, inclusive	166	75.00				$75.00							
June 2	Western Union Telegraph Co., telegrams	167	3.79										3.79	
June 2	Western Union Telegraph Co., time service, April	168	1.25							1.25				

June 2	Typewriter Service Co., repairing typewriters	169	2.25						2.25				
June 2	A. Dirksen & Sons, repairing chair	170	2.50							2.50			
June 2	L. C. Smith & Bros., rent of typewriters	171	10.00						10.00				
June 2	Mrs. George Meredith, proofreading 9 days	172	45.00			45.00							
June 15	Pay roll, June 1 to 15, inclusive	173	277.49			277.49							
June 15	Pay roll, June 1 to 15, inclusive	174	4,120.00		750.00	3,370.00							
June 15	Pay roll (pages), May 29 to June 12, inclusive	175	252.00			252.00							
June 15	Pay roll, (Secretary) June 1 to 15, inclusive	176	225.00	225.00									
June 15	E. E. Caldwell, extra clerical work	177	27.50			27.50							
June 15	Mrs. Grace D. Hall, extra clerical work	178	12.50			12.50							
June 15	Urban A. Lavery, expenses, May 15 to 31	179	75.00				75.00						
June 15	H. L. Mussillon, key blanks	180	.60							.60			
June 15	Striffler Ice & Fuel Co., ice, May	181	14.70							14.70			
June 17	Royal Typewriter Co., rent of typewriters	182	25.00						25.00				
June 17	L. C. Smith & Bros., rent of typewriters	183	10.00						10.00				
June 17	Royal Typewriter Co., rent of typewriters	184	5.00						5.00				
June 29	Royal Typewriter Co., rent of typewriters	185	8.50						8.50				
June 28	K. M. Kilcummings, salary June 15 to 30, inclusive	185a	12.50			12.50							
June 22	L. C. Smith & Bros., rent of typewriters	186	25.00						25.00				
June 22	John Bressmer Co., polish	187	3.90							3.90			
June 22	Phillips Bros., printing proposals	188	102.32					102.32					
June 22	Illinois State Journal, printing journals, etc	189	468.50					468.50					
June 25	C. D. Roberts & Co., towel service	190	39.75							39.75			
June 25	Jacob Freisch & Co., 2500 drinking cups	191	16.25							16.25			
June 30	Pay roll, June 15 to 30, inclusive	192	4,262.50		750.00	3,512.50							
June 30	Pay roll, (pages) June 12 to 26, inclusive	193	169.72			169.72							
June 30	Pay roll, (Secretary) June 15 to 30, inclusive	194	225.00	225.00									
June 28	K. M. Kilcummings, extra stenographic work	195	12.50			12.50							

FINANCIAL REPORT—Continued.

Date.	To whom payable.	Voucher number.	Total.	Secretary of convention.	Official reporter.	Employees under resolution.	Committee expense.	Incidental expenses printing journals.	Rent of typewriters.	General expense.	Hand books.	Postage.	Telegraph and telephone.	Paper stock.
1920														
June 28	Mrs. Grace D. Hall, extra clerical work	196	$ 12.50											
June 26	Urban A. Lavery, expenses May 15 to 31, inclusive	197	75.00				$ 75.00							
June 29	Phillips Bros., printing proposals	198	5.86					$ 5.86						
July 7	Illinois State Journal, 500 Memorials (Sullivan)	199	3.95							$ 3.95				
July 7	Jacob Freisch & Co., 3 M drinking cups	200	21.00							21.00				
July 7	Mrs. George Merewith, 9 days as proofreader	201	36.00			$ 36.00								
July 7	Howard Fuller, salary June 15 to 30, inclusive	202	62.50			62.50								
July 7	Frances S. Burchell, salary June 12 to 15, inclusive	203	12.50			12.50								
July 7	A. H. Wheat, salary June 8 to July 7, inclusive	204	35.00			35.00								
July 7	Wm. H. Conkling, P. M., postage	205	50.00									$50 00		
July 7	Western Union Telegraph Co., telegrams and time service	206	10.47							2.50			$ 7.97	
July 7	Central Union Telephone Co., telephone tolls	207	10.30										10.30	
July 15	Pay roll, July 1 to 15, inclusive	208	3,845.00		$350.00	3,495.00								
July 15	Pay roll, (pages) July 1 to 15, inclusive	209	212.46			212.46								
July 15	Pay roll, (Secretary) July 1 to 15, inclusive	210	225.00	$225.00										
July 8	Mrs. Grace D. Hall, extra clerical work	211	12.50			12.50								
July 8	K. M. Kilcummings, extra clerical work	212	12.50			12.50								
July 8	Urban A. Lavery, expenses May 15 to 31, inclusive	213	75.00				75.00							
July 8	C. D. Roberts & Co., towel service	214	44.25							44.25				
July 8	Illinois State Journal, printing journals and debates	215	555.19					555.19						

July 8	Whiting Paper Co., paper for letterheads	216	141.25											$141.25
July 8	Schnepp & Barnes, printing bulletins	217	600.00					600.00						
July 8	John Bressmer Co., 1 gallon High Bail Polish	218	1.50							1.50				
July 28	Springfield Mime Sales Agency, stencil paper (2 quires)	219	7.00							7.00				
July 28	Mrs. George Meredith, 3 days proofreading	220	12.00			12.00								
July 28	Striffler Ice & Fuel Co., June ice	221	15.40							15.40				
July 28	Phillips Bros., printing proposals	222	163.89					163.89						
July 28	Urban A. Lavery, expenses July 15 to 31, inclusive	223	75.00				75.00							
July 28	Willard L. King, salary July 19 to 31, inclusive	224	104.85			104.85								
July 28	Chas. H. Hamill, expenses Comm. P. & S. Chicago	225	46.00				46.00							
Aug. 15	Pay roll, July 15 to Aug. 15, inclusive	226	1,497.10			1,497.10								
Aug. 15	Pay roll, (Secretary July 15 to Aug. 15, inclusive	227	465.00	465.00										
Aug. 15	Urban A. Lavery, expenses Aug. 1 to 15, inclusive	228	75.00				75.00							
Aug. 15	Willard L. King, salary Aug. 1 to 15, inclusive	229	125.00			125.00								
Aug. 15	R. B. Baker, 1 piece Cypress lumber	230	3.50							3.50				
Sept. 15	Pay roll, Aug. 15 to Sept. 15, inclusive	231	1,547.50			1,547.50								
Sept. 15	Pay roll, (Secretary) Aug. 15 to Sept. 15, inclusive	232	465.00	465.00										
Sept. 15	Inez M. Banks, salary July 27 to 31, inclusive	233	24.20			24.20								
Sept. 15	Willard L. King, salary Aug. 15 to Sept. 15, inclusive	234	250.00			250.00								
Sept. 15	Urban A. Lavery, expenses Aug. 15 to Sept. 15	235	150.00				150.00							
Sept. 15	George Kapes, salary Aug. 1 to 15, inclusive	236	75.00			75.00								
Sept. 15	Striffler Ice & Fuel Co., July ice	237	15.40							15.40				
Sept. 15	Mrs. George Meredith, 3 days proofreading	238	12.00			12.00								
Sept. 15	Illinois State Journal, printing journals and debates	239	554.32					554.32						
Sept. 15	Central Union Telephone Co., telephone tolls	240	3.30										$3.30	
Sept. 15	Postal Engraving Co., cuts for Convention manual	241	49.78					49.78						

FINANCIAL REPORT—Continued.

Date.	To whom payable.	Voucher number.	Total.	Secretary of convention.	Official reporter.	Employees under resolution.	Committee expense.	Incidental expenses printing journals.	Rent of typewriters.	General expense.	Hand books.	Postage.	Telegraph and telephone.	Paper stock.
1920														
Sept. 21	Striffler Ice & Fuel Co., August ice	242	$ 15.40							$15.40				
Sept. 21	Western Union Telegraph Co., telegrams and time service	243	2.80							2.50			$ .30	
Sept. 21	Harry L. Shaver, service "Souvenir Edition"	244	150.00					$150.00						
Sept. 21	Illinois Litho-Label Co., 25 M litho envelopes	245	51.50					51.50						
Sept. 21	Phillips Bros., printing proposals	246	15.15					15.15						
Sept. 20	Bradner-Smith Co., envelopes	247	29.39											$29.39
Sept. 22	Typewriter Service Co., repairing typewriters	248	1.50						$ 1.50					
Sept. 22	Wm. H. Conkling, P. M., postage	249	25.00									$25.00		
Oct. 15	Pay roll, Sept. 15 to Oct. 15, inclusive	250	1,576.66			$1,576.66								
Oct. 15	Pay roll (Secretary), Sept. 15 to Oct. 15, inclusive	251	450.00	$450.00										
Oct. 15	Pay roll, Sept. 21 and 22	252	115.44			115.44								
Oct. 15	Urban A. Lavery, salary Sept. 15 to Oct. 15, inclusive	253	500.00			500.00								
Oct. 15	Willard L. King, expenses Sept. 15 to Oct. 15	254	150.00				$150.00							
Oct. 15	John Bressmer Co., soap and repairing shades	255	3.88							3.88				
Oct. 15	Western Union Telegraph Co., time service and telegrams	256	1.60							1.25			.35	
Nov. 8	Central Union Telephone Co., telephone tolls	257	1.50										1.50	
Nov. 8	Western Union Telegraph Co., time service and telegrams	258	1.55							1.25			.30	
Nov. 8	L. C. Smith & Bros., rent of typewriters	259	25.00						25.00					
Nov. 9	Illinois State Journal, printing journals, etc	260	689.13					689.13						
Nov. 15	Pay roll, Oct. 15 to Nov. 15, inclusive	261	2,960.98		$400.00	2,560.98								
Nov. 15	Pay roll, (pages) Nov. 8 to 15, inclusive	262	77.12			77.12								

Nov. 15	Pay roll, (Secretary) Oct. 15 to Nov. 15, inclusive	263	465.00	465.00										
Nov. 12	Urban A. Lavery, salary Oct. 15 to Nov. 15, inclusive	264	500.00			500.00								
Nov. 12	Willard L. King, expenses Oct. 15 to Nov. 15	265	150.00				150.00							
Nov. 15	Mrs. Grace D. Hall, salary Nov. 8 to 15, inclusive	266	6.66			6.66								
Nov. 15	K. M. Kilcummings, salary Nov. 6 to 15, inclusive	267	6.66			6.66								
Nov. 15	Chas. H. Hamill, supplies Committee on Phraseology and Style	268	36.69				36.69							
Nov. 15	John Bressmer Co., supplies	269	15.98						15.98					
Nov. 15	H. T. Bowman, services June 15 to July 1	270	50.00			50.00								
Nov. 15	Kerns-Baker, Inc., 5 M drinking cups	271	28.75						28.75					
Nov. 23	Striffler Ice & Fuel Co., September ice	272	10.50						10.50					
Nov. 23	Illinois State Journal, printing journals, etc	273	5.24					5.24						
Nov. 23	Bradner-Smith & Co., paper and envelopes	274	16.99											16.99
Nov. 30	Pay roll, Nov. 15 to 30, inclusive	275	3,481.66		750.00	2,731.66								
Nov. 30	Pay roll, (pages) Nov. 15 to 29, inclusive	276	193.71			193.71								
Nov. 30	Pay roll, (Secretary) Nov. 15 to 30, inclusive	277	225.00	225.00										
Nov. 30	Urban A. Lavery, salary Nov. 15 to 30, inclusive	278	250.00			250.00								
Nov. 30	Willard L. King, expenses Nov. 15 to 30, inclusive	279	75.00				75.00							
Nov. 30	K. M. Kilcummings, extra clerical work	280	12.50			12.50								
Nov. 30	Mrs. Grace D. Hall, extra clerical work	281	12.50			12.50								
Nov. 30	Springfield Mime Sales Agency, 1 quire stencil paper	282	3.50						3.50					
Dec. 8	Springfield Clean Towel Service, towel service	283	60.00						60.00					
Dec. 8	Stuart Broadwell, 1 pint denatured alcohol	284	.35						.35					
Dec. 8	Capitol Engraving Co., halftones and etchings	285	733.80					733.80						
Dec. 8	Royal Typewriter Co., rent of typewriters	286	12.00						$12.00					
Dec. 9	City Water, Light & Power, electric lamps, etc	287	14.96						14.96					

FINANCIAL REPORT—Continued.

Date.	To whom payable.	Voucher number.	Total.	Secretary of convention.	Official reporter.	Employees under resolution.	Committee expense.	Incidental expenses printing journals.	Rent of typewriters.	General expense.	Hand books.	Postage.	Telegraph and telephone.	Paper stock.
1920														
Dec. 9	H. L. Mussillon, ½ gross key rings	288	$ 1.50							$ 1.50				
Dec. 9	Kerns-Baker, Inc., 3 glass tubes for cups	289	4.50							4.50				
Dec. 15	Pay roll, Dec. 1 to 15, inclusive	290	2,642.50		$450.00	$2,192.50								
Dec. 15	Pay roll, Dec. 1 to 15, inclusive	291	525.00			525.00								
Dec. 15	Pay roll, (pages) Dec. 1 to 15, inclusive	292	219.36			219.36								
Dec. 15	Pay roll, (Secretary) Dec. 1 to 15, inclusive	293	225.00	$225.00										
Dec. 15	Urban A. Lavery, salary Dec. 1 to 15, inclusive	294	250.00			250.00								
Dec. 15	Willard L. King, expenses Dec. 1 to 15, inclusive	295	75.00				$ 75.00							
Dec. 15	Mrs. Grace D. Hall, extra clerical work	296	12.50			12.50								
Dec. 15	K. M. Kilcummings, extra clerical work	297	12.50			12.50								
Dec. 15	Harry Watson, engrossing and drafting	298	20.00							20.00				
Dec. 15	Western Union Telegraph Co., time service and telegrams	299	4.82							1.25			$3.57	
Dec. 15	B. H. McCann, post office box rent	300	4.00							4.00				
Dec. 15	Jefferson Printing Co., binding journals	301	33.75					$ 33.75						
Dec. 15	John Bressmer Co., 10 yards cheese cloth	302	1.00							1.00				
Dec. 15	C. H. Hamill, advances for stenographic service	303	7.60			7.60								
Dec. 15	Grace E. Lock, salary Dec. 1 to 15, inclusive	304	62.50			62.50								
Dec. 15	Graham Paper Co., paper stock	305	1,974.56											$1,974 56
Dec. 15	Phillips Bros., printing proposals	306	95.34					95.34						
Dec. 15	Mazil Cribb, operating mimcograph	307	4.50			4.50								
Dec. 31	Pay roll, Dec. 16 to 31, inclusive	308	980.00			980.00								

Dec. 31	Pay roll, (Secretary) Dec. 16 to 31, inclusive	309	240.00	240.00										
Dec. 31	Urban A. Lavery, salary Dec. 16 to 31, inclusive	310	250.00			250.00								
Dec. 31	Willard L. King, expenses Dec. 16 to 31	311	75.00				75.00							
Dec. 31	Mrs. Grace D. Hall, extra clerical work	312	12.50			12.50								
Dec. 24	Wm. H. Conkling, P. M., postage	313	25.00									$25.00		
Dec. 31	Illinois State Journal, Printing journals, etc	314	68.71					68.71						
Dec. 31	Phillips Bros., printing proposals	316	116.88					116.88						
Dec. 31	Mrs. George Meredith, 13 days proofreading	315	52.00			52.00								
Dec. 31	Capital Transfer Co., drayage	317	5.00							5.00				
Dec. 31	Central Union Telephone Co., telephone tolls	318	1.65										1.65	
1921														
Jan. 24	L. C. Smith & Bros., rent of typewriters	319	10.00						$10.00					
Jan. 24	Springfield Mime Sales Agency, repairs on mimeograph	320	2.50							2.50				
Jan. 24	Jefferson Printing Co., 2 transfer cases	321	12.24							12.24				
Jan. 24	John Underfanger, Jr., hauling papers	322	5.00							5.00				
Jan. 28	Central Union Telephone Co., telephone tolls	323	1.20										1.20	
Jan. 28	Western Union Telegraph Co., telegrams	324	5.26										5.26	
Jan. 28	Illinois State Journal, printing journals, etc	325	3.33					3.33						
Jan. 31	Pay roll, Jan. 1 to 31, inclusive	326	600.00			600.00								
Jan. 28	Willard L. King, expenses Jan. 1 to 31	327	150.00				150.00							
Jan. 28	Urban A. Lavery, salary Jan. 1 to 31, inclusive	328	500.00			500.00								
Jan. 29	Fred G. Heinl, flowers Stewart funeral	329	50.00							50.00				
Jan. 29	Urban A. Lavery, expense Committee on Phraseology and Style, Chicago	330	33.25				33.25							
Feb. 4	Western Union Telegraph Co., telegrams	331	15.89										15.89	
Feb. 11	B. H. McCann, January salary	332	465.00	$465.00										
Feb. 11	George Kapes, January salary	333	50.00			50.00								
Feb. 28	Pay roll, Feb. 1 to 28, inclusive	334	500.00			500.00								
Feb. 26	Urban A. Lavery, February salary	335	500.00			500.00								

FINANCIAL REPORT—Continued.

Date.	To whom payable.	Voucher number.	Total.	Secretary of convention.	Official reporter.	Employees under resolution.	Committee expense.	Incidental expenses printing journals.	Rent of typewriters.	General expense.	Hand books.	Postage.	Telegraph and telephone.	Paper stock.
1921														
Mar. 2	Illinois State Journal, printing journals, etc.	336	$ 807.06					$ 807.06						
Mar. 29	Illinois State Reformatory, 1 M envelopes	337	1.65					1.65						
Mar. 29	Illinois State Journal, 1 M letterheads	338	1.50					1.50						
Mar. 29	Urban A. Lavery, March salary	339	500.00			$500.00								
Mar. 29	Pay roll, March 1 to 31, inclusive	340	500.00			500.00								
Mar. 29	B. H. McCann, February and March salary	341	885.00	$885.00										
Mar. 29	George Kapes, February and March salary	342	100.00			100.00								
Mar. 29	Urban A. Lavery, expense Committee on Phraseology and Style	343	15.42				$15.42							
Apr. 30	Pay roll, Apr. 1 to 30, inclusive	344	500.00			500.00								
Apr. 30	Urban A. Lavery, April salary	345	500.00			500.00								
Apr. 20	Jefferson Printing Co., bindery work	346	284.75					284.75						
Apr. 20	Illinois State Journal, printing debates	347	105.08					105.08						
	Cancelled	348												
	Cancelled	349												
Apr. 29	Illinois State Journal, printing debates, blue books	350	964.27					964.27						
May 9	Urban A. Lavery, expense Committee on Phraseology and Style	351	35.24				35.24							
May 27	Urban A. Lavery, May salary	352	500.00			500.00								
May 27	Urban A. Lavery, expense Committee on Phraseology and Style	353	19.72				19.72							
May 31	Pay roll, May 1, to 31, inclusive	354	500.00			500.00								
June 17	Wm. H. Conkling, P. M., postage	355	10.00									$10.00		
June 22	J. W. Ensweiler, flowers, Corcoran funeral	356	50.00							$50.00				
June 22	Wm. F. Martin, expense, Corcoran funeral	357	18.00							18.00				

June 22	Urban A. Lavery, June salary	358	500.00			500.00									
June 30	Pay roll, June 1 to 30, inclusive	359	500.00			500.00									
July 31	Pay roll, July 1 to 31, inclusive	360	500.00			500.00									
July 25	Urban A. Lavery, July salary	361	500.00			500.00									
July 25	Illinois Bell Telephone Co., telephone rental	362	28.00											$28.00	
Aug. 1	Urban A. Lavery, expense Committee on Phraseology and Style	363	17.86				17.86								
Aug. 1	Illinois State Journal, printing debates and blue books	364	2,656.27					2,656.27							
Aug. 8	Wm. H. Conkling, P. M., postage	364a	50.00											50.00	
Aug. 26	Urban A. Lavery, August salary	365	500.00			500.00									
Aug. 31	Pay roll, Aug. 1 to 31, inclusive	366	500.00			500.00									
Sept. 6	Pay roll, pay adjustments	367	235.08			235.08									
Sept. 6	Pay roll, pay adjustments	368	249.10	105.00		144.10									
Sept. 6	B. H. McCann, sundry days, aggregating 30	369	450.00	450.00											
Sept. 6	George Kapes, sundry days, aggregating 30	370	150.00			150.00									
Sept. 6	American Railway Express Co., sundry express charges	371	2.72						2.72						
Sept. 26	Jos. G. Dingle, services Jan 1 to Oct. 1	371a	180.00			180.00									
Sept. 21	Llewellyn James, salary Sept. 1 to 15, inclusive	372	75.00			75.00									
Sept. 21	Urban A. Lavery, September salary	373	500.00			500.00									
Oct. 5	Jefferson Printing Co., Convention manual and blue books	374	2,074.79					2,074.79							
Oct. 15	Scherer Bros., packing and shipping reports	375	2.00						2.00						
Oct. 22	Illinois State Journal, printing reports	376	302.92					302.92							
Oct. 27	American Railway Express Co., sundry express charges	377	5.50						5.50						
Nov. 10	Urban A. Lavery, sundry Phraseology and Style Committee expense	378	53.40				53.40								
Nov. 13	Urban A. Lavery, October salary	379	500.00			500.00									
Dec. 1	Urban A. Lavery, November salary	380	500.00			500.00									
Dec. 30	Urban A. Lavery, December salary	381	500.00			500.00									
Dec. 20	Wm. H. Conkling, P. M., postage	382	10.00										$10.00		
1922															
Jan. 3	Pay roll, January 3 and 4	383	106.77			106.77									
Jan. 3	Pay roll, January 3 and 4	384	192.41			192.41									
Jan. 3	Pay roll, week of January 3	385	195.25			195.25									

FINANCIAL REPORT—Continued.

Date.	To whom payable.	Voucher number.	Total.	Secretary of convention.	Official reporter.	Employees under resolution.	Committee expense.	Incidental expenses printing journals.	Rent of typewriters.	General expense.	Hand books.	Postage.	Telegraph and telephone.	Paper stock.
1922														
Jan. 5	B. H. McCann, sundry days, aggregating 30	386	$ 450.00	$450.00										
Jan. 5	George Kapes, sundry days, aggregating 30	387	150.00			$ 150.00								
Jan. 7	Rev. W. T. Rogers, services January 3	388	22.93			22.93								
Jan. 31	Urban A. Lavery, January salary	389	500.00			500.00								
Jan. 31	Urban A. Lavery, sundry Phraseology and Style Committee expenses	390	11.50				$11.50							
Jan. 31	Illinois Bell Telephone Co., telephone tolls	391	8.85										$ 8.85	
Jan. 31	Underwriter Typewriter Co., rent of typewriters	392	10.00						$10.00					
	See special report for voucher 393													
Feb. 1	Mabel C. Nicholson, January salary (stenographer)	394	150.00			150.00								
Feb. 2	Rev. Chas. A. Briggs, salary week of January 31	395	40.00			40.00								
Feb. 3	Wm. H. Conkling, P. M., postage	396	25.00									$25.00		
Feb. 8	Wm. S. Gray, committee expense	397	25.00				25.00							
Feb. 8	Jerry Wallace Chaplain week of Feb. 7	398	40.00			40.00								
Feb. 14	Pay roll, Jan. 30 to Feb. 14, inclusive	399	2,231.87			2,231.87								
Feb. 14	Pay roll, (pages) Jan. 31 to Feb. 13, inclusive	400	120.00			120.00								
Feb. 14	Mrs. Grace D. Hall, extra clerical work	401	12.50			12.50								
Feb. 16	Rev. J. F. Vonckx, Chaplain week Feb. 14	402	40.00			40.00								
Feb. 22	Rev. F. H. DeVol, Chaplain week Feb. 20	403	40.00			40.00								
Feb. 28	Pay roll, Feb. 15 to 28, inclusive	404	2,171.42			2,171.42								
Feb. 27	Pay roll, (pages) Feb. 14 to 27, inclusive	405	120.00			120.00								
Feb. 23	Urban A. Lavery, February salary	406	500.00			500.00								

Feb. 23	Mrs. Grace D. Hall, extra clerical work	407	12.50			12.50									
Feb. 23	American Railway Express Co., sundry express charges	408	1.33							$ 1.33					
Mar. 1	Wm. L. Corris, sundry days to Jan. 31	409	1,200.00		$1,200.00										
Feb. 28	Springfield Clean Towel Co., towell service	410	50.00							50.00					
Feb. 28	Kerns-Baker, Inc., 3 M drinking cups	411	14.25							14.25					
Feb. 28	Western Union Telegraph Co., telegrams	412	1.98											1.98	
Feb. 28	Illinois State Reformatory, 3 M envelopes	413	5.25				$ 5.25								
Feb. 28	H. L. Mussillon, 6 key blanks	414	1.50							1.50					
Feb. 28	Illinois State Journal, printing journals, etc	415	767.46				767.46								
Feb. 28	Underwood Typewriter Co., rent of typewriters	416	30.00					30.00							
Feb. 28	John Bressmer Co., sundry supplies	417	8.50							8.50					
	Cancelled	418													
Mar. 2	Rev. E. T. Carroll, Chaplain week Feb. 28	419	40.00			40.00									
Mar. 8	Rev. A. W. Bartholomew, Chaplain week Mar. 7	420	40.00			40.00									
Mar. 15	Pay roll, Mar. 1 to 15, inclusive	421	2,317.85			2,317.85									
Mar. 15	Pay roll, (pages) Feb. 28 to Mar. 13, inclusive	422	144.00			144.00									
Mar. 14	Rev. J. B. Brown, Chaplain week Mar. 14	423	40.00			40.00									
Mar. 14	Western Union Telegraph Co., telegrams	424	19.77											19.77	
Mar. 14	Central Auto Equipment Co., brass polish	425	2.00							2.00					
Mar. 14	Mrs. Grace D. Hall, extra clerical work	426	12.50			12.50									
Mar. 14	Striffler Ice & Fuel Co., February ice	427	8.40							8.40					
Mar. 14	H. L. Mussillon, 2 key blanks	428	.50							.50					
Mar. 14	John Bressmer Co., sundry supplies	429	7.20							7.20					
Mar. 15	B. H. McCann, salary Mar 1 to 15, inclusive	430	225.00	$225.00											
Mar. 31	Pay roll, Mar. 15 ro 31, inclusive	431	2,197.50			2,197.50									
Mar. 31	Pay roll, (pages) Mar. 14 to 31,	432	185.10			185.10									
Mar. 24	Urban A. Lavery, March salary	433	500.00			500.00									
Mar. 24	B. H. McCann, salary Mar. 16 to 31, inclusive	434	240.00	240.00											

FINANCIAL REPORT—Continued.

Date.	To whom payable.	Voucher number.	Total.	Secretary of convention.	Official reporter.	Employees under resolution.	Committee expense.	Incidental expenses printing journals.	Rent of typewriters.	General expense.	Hand books.	Postage.	Telegraph and telephone.	Paper stock.
1922														
Mar. 24	Underwood Typewriter Co., rent of typewriters	435	$ 30.00						$30.00					
Apr. 10	Western Union Telegraph Co., telegrams	436	40.65										$40.65	
Apr. 15	Pay roll, Apr. 1 to 15, inclusive	437	2,250.00			$2,250.00								
Apr. 15	Pay roll, (pages) Apr. 1 to 14, inclusive	438	144.00			144.00								
Apr. 10	B. H. McCann, salary Apr. 1 to 15, inclusive	439	225.00	$225.00										
Apr. 19	Striffler Ice & Fuel Co., March ice	440	6.30							$ 6.30				
Apr. 18	Underwood Typewriter Co., rent of typewriters	441	40.00						40.00					
Apr. 18	Mrs. Grace D. Hall, extra clerical work	442	25.00			25.00								
Apr. 18	Springfield Towel Service, towel service	443	25.00							25.00				
Apr. 27	Rev. J. C. Brown, Chaplain week Apr. 25	444	40.00			40.00								
Apr. 30	Pay roll, Apr. 16 to 30, inclusive	445	2,224.99			2,224.99								
Apr. 30	Pay roll, (pages) Apr. 15 to 28, inclusive	446	144.00			144.00								
Apr. 28	B. H. McCann, salary Apr. 16 to 30, inclusive	447	225.00	225.00										
Apr. 28	Urban A. Lavery, April salary	448	500.00			500.00								
Apr. 28	Wm. L. Corris, sundry days to Apr. 30	449	2,500.00		$2,500.00									
May 4	Mrs. Grace D. Hall, extra clerical work	450	7.51			7.51								
Apr. 24	Jefferson Printing Co., stamping names on 12 books	451	4.80					$ 4.80						
May 4	Rev. Louis L. Landreth, Chaplain week May 1	452	40.00			40.00								
May 4	B. H. McCann, salary January and February	453	885.00	885.00										
May 6	John Bressmer Co., sundry supplies	454	13.90							13.90				

May 6	Western Union Telegraph Co., telegrams	455	78.38										78.38	
May 5	George Kapes, sundry days in 1921	456	450.00			450.00								
May 6	Pay roll, May 1 to 6, inclusive	457	749.61			749.61								
May 6	Pay roll, (pages) Apr. 29 to May 6, inclusive	458	80.55			80.55								
May 9	Wm. H. Conkling, P. M., postage	459	50.00									$ 50.00		
May 10	Capitol City Printing Co., 4 M drinking cups	460	16.50						16.50					
May 10	H. L. Mussillon, repairs to lock	461	.75						.75					
May 10	Springfield Clean Towel Co., towel service	462	32.50						32.50					
May 31	Pay roll, month of May	463	1,996.60	465.00	250.00	1,281.60								
May 24	Urban A. Lavery, May salary	464	500.00			500.00								
May 24	Harry Watson, engrossing resolution	465	6.00						6.00					
May 24	E. E. Fyke, expense, Tanner funeral	466	8.00						8.00					
May 24	Hembreiker & Cole, flowers, Tanner funeral	467	20.00						20.00					
May 24	Illinois Bell Telephone Co., telephone tolls	468	9.80										9.80	
June 1	Julius Richardson, stenographic services May 6 to 27	469	100.00			100.00								
June 1	Paul Cebulski, services May 15 to 29, inclusive	470	25.00			25.00								
June 1	Jos. G. Dingle, services Apr. 25 to May 27	471	150.00			150.00								
June 1	New Clifton Hotel, expenses Committeeon Phraseology and Style	472	37.85				$ 37.85							
June 5	Underwood Typewriter Co., rent of typewriters	473	6.25					6.25						
June 5	Illinois Bell Telephone Co., telephone tolls	474	2.20										2.20	
June 6	Arley Munts, expense Ottawa to Springfield	475	41.38				41.38							
June 6	Western Union Telegraph Co., telegrams	476	11.15										11.15	
June 7	Illinois State Journal, printing journals, etc	477	2 047.53					2,047.53						
June 13	Wm. L. Corris, in full to June 10	478	1,950.00		1,950.00									
June 15	Rev. W. S. McCown, Chaplain week June 13	479	40.00			40.00								
June 15	Illinois State Journal, sundry printing	480	106.08					106.08						
June 22	Victor Georg Studio, photo copies Constitution 1870	481	564.00					564.00						

FINANCIAL REPORT—Concluded.

Date.	To whom payable.	Voucher number.	Total.	Secretary of convention.	Official reporter.	Employees under resolution.	Committee expense.	Incidental expenses printing journals.	Rent of typewriters.	General expense.	Hand books.	Postage.	Telegraph and telephone.	Paper stock.
1922														
June 22	John Bressmer Co., sundry supplies	482	$ 3.50							$ 3.50				
June 22	Chas. R. Graham Co., 2 M drinking cups	483	11.00							11.00				
June 23	Wm. H. Conkling, P. M., postage	484	100.00									$100.00		
June 27	Springfield Clean Towel Co., towel service	485	37.50							37.50				
June 27	Illinois Litho-Label Co., 1 M litho envelopes	486	5.22						$5.22					
June 28	Elam L. Clarke, Phraseology and Style Committee expenses	487	42.00					$ 42.00						
June 28	Striffler Ice & Fuel Co., June ice	488	16.80							16.80				
June 30	Pay roll, June 13 to 30, inclusive	489	4,180.98	$450.00	$1,050.00	$2,680.98								
June 30	Pay roll, (pages) June 13 to 30, inclusive	490	180.00			180.00								
June 30	Pay roll, June 1 to 30, inclusive	491	700.00			700.00								
June 28	Murray W. Bundy, services to Committee on Phraseology and Style	492	150.00				$ 150.00							
June 15	Walter H. Wilson, expenses Committee Expense and Supplies	493	1,370.00				1,370.00							
June 29	E. M. Gullick, salary correction	494	91.66			91.66								
June 30	Western Union Telegraph Co., telegrams	495	36.06										$36.06	
July 12	Rev. David Wetzel, Chaplain week June 20	496	40.00			40.00								
July 20	Scherer Bros., drayage	497	1.75							1.75				
July 20	Arley Munts, expenses Committee on Submission and Address	498	13.70				13.70							
July 20	Wm. H. Conkling, P. M., postage	499	100.00									100.00		
July 31	Pay roll, July 1, to 31	500	1,619.76	465.00		1,154.76								
July 28	American Railway Express Co., sundry express charges	501	1.39							1.39				
July 27	American Railway Express Co., sundry express charges	502	.70							.70				
July 27	Western Union Telegraph Co., telegrams	503	10.10										10.10	

July 27	Urban A. Lavery, expenses Committee on Phraseology and Style	504	70.12				70.12							
Aug. 3	Arley Munts, July salary	505	350.00			350.00								
Aug. 5	Ruth Roberts, mailing clerk, 2½ days	506	6.25			6.25								
Aug. 5	Wm. H. Conkling, P. M., postage	507	100.00									100.00		
Aug. 8	Illinois State Journal, printing	508	373.70					373.70						
Aug. 8	Schnepp & Barnes, printing	509	2,246.31					2,246.31						
Aug. 11	Jefferson Printing Co., 2 M drinking cups	510	9.00							9.00				
Aug. 11	Western Union Telegraph Co., telegrams	511	.93										.93	
Aug. 31	Pay roll, Aug. 1 to 31, inclusive	512	1,922.41	465.00		1,457.41								
Aug. 31	S. P. Preston, salary clerk Committee on Submission and Address	513	250.00			250.00								
Sept. 1	McCully & Brawner, drayage	514	2.50							2.50				
Sept 1	Schnepp & Barnes, printing	515	378.00					378.00						
Sept 1	Arley Munts, expense Committee on Submission and Address	516	38.41				38.41							
Sept 5	W. H. Conkling, P. M., postage	517	300.00									300.00		
Sept. 7	Western Union Telegraph Co., telegrams	518	3.04										3.04	
Sept. 11	Illinois State Journal, printing	519	1,545.49					1,545.49						
Sept. 11	Jos. G. Dingle, services	520	225.00			225.00								
Sept. 12	Illinois State Reformatory, envelopes	521	15.71					15.71						
			$176,181.40	$11,415.00	$17,300.00	$102,549.34	$3,476.74	$23,121.85	$591.00	$1,942.25	$757.00	$1,045.00	$332.12	$13,651.10

RECAPITULATION.

Pay of original members of the Convention	$204,000.00		
Allowance for postage—original members of the Convention	5,100.00		
Mileage—original members of the Convention	3,141.00		
Total pay, allowance and mileage—original members of the Convention		$212,241.00	
Pay of new members of the Convention	$12,000.00		
Allowance for postage—new members of the Convention	300.00		
Mileage—new members of the Convention	131.90		
Total pay, allowance and mileage—new members of the Convention		12,431.90	
Total pay, allowance and mileage—members of the Convention			$224,672.90
Salary of Secretary of the Convention		$ 11,415.00	
Official reporter		17,300.00	
Salaries of employees under resolution		102,549.34	
Committee expenses		3,476.74	
Incidental expenses, printing, journals, etc		23,121.85	
Rent of typewriters		591.00	
General expenses		1,942.25	
Hand books		757.00	
Postage		1,045.00	
Telephone and telegraph		332.12	
Paper stock		13,651.10	
Total pay of employees of the Convention, and miscellaneous expenses			176,181 40
Total disbursements to date			$400,854.30

Respectfully submitted,

CHARLES E. WOODWARD,
President.

In the Hall of the House of Representatives,
this twelfth day of September, A. D. 1922.

Mr. Wilson offered the following resolution and moved its adoption:

RESOLUTION No. 44.

Resolved, That the President, with the approval of the Committee on Expenditures and Supplies, be and he is hereby authorized to employ the following clerical and stenographic and other assistants necessary to conclude the work of the Convention and the officers and committees thereof:

An Executive Secretary for the Committee on Submission and Address;

Two Clerks for the Committee on Submission and Address;

Five Stenographers and Copyists for the Committee on Submission and Address;

Private Secretary to the President.

Legal Secretary to the President.

Three Stenographers for the use of the President, Secretary and the Committee to Revise and Correct the Debates;

One Janitor for the office of the President and Secretary;

Two Proof Readers;

Assistant Secretary of the Convention; one Stenographer for the Secretary of the Convention.

File Clerk in the office of the Secretary of the Convention;

That the compensation to be allowed and paid for the clerical, stenographic and other assistants aforesaid shall not exceed ten thousand dollars;

That the President, with the approval of the Committee on Expenditures and Supplies, may contract for and procure the necessary rooms, stationery and office supplies, postage, printing, binding, express and other distribution and committee expenses and may incur and pay all other expenses incident to finally completing the work of the Convention and may approve and certify vouchers for such obligations and expenses to an amount not exceeding seventy thousand dollars.

And the resolution was adopted.

Mr. Hamill moved that when the Convention adjourns today it stand adjourned until Tuesday, October 10, 1922, at 10:00 o'clock a. m.

And the motion prevailed.

Mr. Hamill moved that when the Convention adjourns on October 10, 1922, it stand adjourned *sine die*.

And the motion prevailed.

Mr. Smith moved that the President appoint a committee of three Delegates to approve the Journals of the last three days of the Convention.

And the motion prevailed.

The President thereupon appointed as such committee, Messrs. Smith, Mills and Rinaker.

Mr. Clarke presiding.

Mr. Shanahan offered the following resolution and moved its adoption:

RESOLUTION No. 45.

Resolved, That the thanks of this Convention should be and hereby are tendered to the Honorable Charles E. Woodward for his uniform courtesy, his unfailing fairness, and his distinguished ability as the presiding officer of this body. Through all the long and trying days and nights of our sittings his patience has never flagged and through the exacting hours of committee service his intelligent advice has been ever helpful. We acknowledge that without his foresight, judgment and tact our task would have been far harder and perhaps impossible. He has won not only our admiration and respect but our affection as well. We therefore, direct that these imperfect words of appreciation be spread upon the Journal of this day's proceedings

and an engrossed copy thereof be delivered to our President and friend, Charles E. Woodward.

And the resolution was unanimously adopted by a rising vote.

Mr. Barr moved that a vote of thanks be extended by the Convention to its Secretary, B. H. McCann, and his assistants, for their uniform and efficient services in the Convention.

And the motion was unanimously adopted by a rising vote.

Mr. Mills moved that when the Convention adjourns today it adjourn with prayer by the Chaplain, Dr. A. E. Turner, President of Lincoln College, of Lincoln.

And the motion prevailed.

Mr. Wilson offered the following resolution and moved its adoption:

RESOLUTION No. 46.

Once more death has invaded our ranks. This time he stalked in unannounced, more roughly than is usual, and smote our fellow Delegate, Levy Mayer. He was still in his prime and of great intellectual power. If his voice had not been silenced it might yet have been raised in unrivalled eloquence to proclaim the merits of the Constitution he had helped to frame for his adopted State. We deplore his going and here record our sense of loss, our appreciation of his ability and our sympathy with those who loved him.

And the resolution was unanimously adopted by a rising vote.

Mr. O'Brien moved that a copy of the foregoing resolution, suitably engrossed, be forwarded to the family by the Secretary.

And the motion prevailed.

Mr. Wilson moved that the Convention do now adjourn.

And in accordance with the motion heretofore adopted, prayer was offered by the Chaplain, and at the hour of 7:15 o'clock p. m., the motion prevailed and the Convention stood adjourned until Tuesday, October 10, 1922, at 10:00 o'clock a. m.

TUESDAY, OCTOBER 10, 1922, 10:00 O'CLOCK A. M.

The Convention met pursuant to adjournment.

The President presiding.

The President reported that he had delivered to the Secretary of State, pursuant to Resolution No. 40, adopted by the Convention on September 12, 1922, the revised copy of the Constitution, duly authenticated as enrolled by the Convention and adopted on September 12, 1922, which copy so delivered to the Secretary of State reads as follows:

CONSTITUTION OF ILLINOIS.

Preamble.

We, the people of the State of Illinois, grateful to Almighty God for the civil, political and religious liberties which He hath so long pemitted us to enjoy and looking to Him for a blessing upon our endeavors to secure and transmit them unimpaired to succeeding generations, in order to form a more perfect government, establish justice, insure domestic tranquility, provide for the common defense, promote the general welfare and secure the blessings of liberty to ourselves and our posterity, do ordain and establish this Constitution.

ARTICLE I.

Bill of Rights.

Section 1. All men are by nature free and independent and have certain inherent and inalienable rights; among these are life, liberty and the pursuit of happiness. To secure these rights and the protection of property, governments are instituted among men, deriving their just powers from the consent of the governed. A frequent recurrence to the fundamental principles of civil government is necessary to preserve the blessings of liberty.

Section 2. No person shall be deprived of life, liberty or property without due process of law.

Section 3. The free exercise and enjoyment of religious profession and worship without discrimination shall forever be guaranteed. No person shall be denied any civil or political right, privilege or capacity on account of his religious opinions. The liberty of conscience hereby secured shall not be construed to dispense with oaths or affirmations, excuse acts of licentiousness or justify practices inconsistent with the peace or safety of the state. No person shall be required to attend or support any ministry or place of worship against his consent, nor shall any preference be given by law to any religious denomination or mode of worship. The reading of selections from any version of the Old and

New Testaments in the public schools without comment shall never be held to be in conflict with this constitution.

SECTION 4. Every person may freely speak, write or publish on any subject but is responsible for the abuse of this liberty. In trials for libel, civil or criminal, the truth when published with good motives and for justifiable ends is a sufficient defense.

SECTION 5. The right of trial by jury shall remain inviolate but may be waived except in capital cases. The general assembly may provide that women may be eligible to serve as jurors. Juries of less than twelve in civil cases may be authorized by law.

SECTION 6. The right of the people to be secure in their persons, houses, papers and effects against unreasonable searches and seizures shall not be violated. No warrant shall issue without probable cause, supported by affidavit particularly describing the place to be searched and the persons or things to be seized.

SECTION 7. Excessive bail shall not be required. The privilege of the writ of habeas corpus shall not be suspended unless in case of rebellion or invasion the public safety may require it.

SECTION 8. No person shall be held to answer for a capital offense unless on indictment of a grand jury. Offenses which may be punished by imprisonment in the penitentiary may be prosecuted by indictment or on information filed by the attorney general or by a state's attorney. No such information shall be filed by a state's attorney except by leave granted, either in term time or in vacation, by a judge of a court of record having jurisdiction of the offense, after a showing of probable cause. All other offenses may be prosecuted as provided by law. This section shall not apply to cases of impeachment, cases arising in the army and navy and in the militia when in actual service in time of war or public danger.

SECTION 9. In all criminal prosecutions the accused shall have the right to appear and defend in person and by counsel; to demand the nature and cause of the accusation and to have a copy thereof; to meet the witnesses face to face; to have process to compel the attendance of witnesses in his behalf; and to have a speedy public trial by an impartial jury of the county or district in which the offense is alleged to have been committed.

SECTION 10. No person shall be compelled in any criminal case to give evidence against himself or be put in jeopardy twice for the same offense.

SECTION 11. All penalties shall be proportioned to the nature of the offense. No conviction shall work corruption of blood or forfeiture of estate. No person shall be transported out of the state for any offense committed therein.

SECTION 12. No person may be imprisoned for debt except upon refusal to deliver up his estate for his creditors as prescribed by law or in case of strong presumption of fraud.

SECTION 13. Private property shall not be taken or damaged for public use without just compensation which, when not made by the state, shall be ascertained by a jury.

SECTION 14. No *ex post facto* law or law impairing the obligation of contracts or making any irrevocable grant of special privileges or immunities shall be passed.

SECTION 15. The military shall be in strict subordination to the civil power. No soldier in time of peace shall be quartered on a householder without his consent or in time of war except as provided by law.

SECTION 16. The people have the right to assemble in a peaceable manner to consult for the common good, to make known their opinions to their representatives and to apply for redress of grievances.

SECTION 17. All elections shall be free and equal.

SECTION 18. Every person ought to find a certain remedy in the law for all injuries and wrongs which he may receive in his person, property or reputation. He ought to obtain right and justice by law, freely, without being obliged to purchase it, completely and without denial, promptly and without delay.

SECTION 19. Laws shall be applicable alike to all citizens without regard to race or color.

ARTICLE II.

POWERS AND FORM OF GOVERNMENT.

SECTION 20. The legislative, executive and judicial departments shall be separate and no one of them shall exercise powers properly belonging to another.

SECTION 21. The republican form of government of this State shall never be abandoned, modified or impaired.

ARTICLE III.

LEGISLATIVE DEPARTMENT.

SECTION 22. The legislative power shall be vested in a general assembly consisting of a senate and a house of representatives.

SECTION 23. The general assembly at the regular sessions in nineteen hundred twenty-three, nineteen hundred thirty-three and every twelve years thereafter shall apportion the state into fifty-seven senatorial districts each of which shall elect one senator and into one hundred fifty-three representative districts each of which shall elect one representative. The basis of apportionment for both houses shall be the number voting for governor at the last regular election for that office previous to the apportionment. Every district shall be formed of compact and contiguous territory and shall be bounded by county lines except in counties comprising two or more districts when such districts may be bounded by precinct or ward lines.

The territory now forming the county of Cook shall constitute nineteen senatorial districts. The territory forming the rest of the state shall constitute thirty-eight senatorial districts. At each apportionment the number so voting in the county of Cook shall be divided by nineteen and the quotient shall be the senatorial ratio for that territory and the number so voting in the rest of the state shall be divided by thirty-

eight and the quotient shall be the senatorial ratio for that territory. The senatorial districts in each territory shall contain as nearly as practicable the ratio for that territory but in no case less than three-fourths of such ratio.

At each apportionment the number so voting in the entire state shall be divided by one hundred fifty-three and the quotient shall be the representative ratio for the state. Representative districts shall contain as nearly as practicable the representative ratio. . No district shall contain less than four-fifths of the representative ratio. But a county having less than four-fifths of the ratio may be joined with an adjoining county having less than the ratio in forming a district; counties having less than four-fifths of the ratio may be formed into districts of one or more counties; such districts shall be as near the ratio as practicable; and when of more than one county such counties shall be adjoining. Counties comprising not less than one ratio and three-fourths shall be divided into two or more districts. Each district in counties comprising more than two districts shall contain at least the full ratio.

SECTION 24. If the general assembly fails to make any such apportionment it shall be the duty of the secretary of state, the attorney general and the auditor of public accounts to meet at the office of the governor within ninety days after the adjournment of the regular session of the year designated for that purpose and make an apportionment as provided in section twenty-three of this constitution.

SECTION 25. Senators shall be at least twenty-five and representatives at least twenty-one years of age. No person shall be a member of the general assembly who holds any other lucrative public office or employment (except as a militia officer or justice of the peace) or is not a citizen of the United States or has not resided for five years in the state and for two years next before his election in the territory forming the district.

SECTION 26. Senators from even numbered districts shall be elected in nineteen hundred twenty-four and those from odd numbered districts in nineteen hundred twenty-six and every four years thereafter. Representatives shall be elected in nineteen hundred twenty-four and every two years thereafter. Senators shall hold office for four years and representatives for two years beginning on the day of the convening of the regular session next after the election. Vacancies shall be filled by special elections called by the governor.

TIME OF MEETING AND RULES.

SECTION 27. The general assembly shall convene at noon on Wednesday after the first Monday in January in odd numbered years. The secretary of state shall preside over the house of representatives until a temporary presiding officer is chosen who shall preside until a speaker is chosen. The lieutenant governor shall preside over the senate and may vote in case of tie. The senate shall choose a president to preside during the absence or pending the impeachment of the lieutenant governor or while he acts as governor.

SECTION 28. The governor may convene the general assembly by proclamation on extraordinary occasions; but it shall enter upon no business save that stated in the proclamation or in one additional message from the governor during the session.

SECTION 29. Members of the general assembly before entering upon their duties shall take and subscribe the following oath or affirmation:

I do solemnly swear (or affirm) that I will support the constitution of the United States and the constitution of the State of Illinois and will faithfully discharge the duties of senator (or representative) to the best of my ability; that I have not, knowingly or intentionally, paid or contributed anything or made any promise in the nature of a bribe directly or indirectly to influence any vote at my election; that I have not accepted, nor will I accept or receive, directly or indirectly, any money or other valuable thing from any corporation, association or person for any vote or influence I may give or withhold on any bill, resolution or appropriation or for any other official act.

This oath shall be administered by a judge of the supreme or circuit court in the hall of the house to which the member is elected. The secretary of state shall record and file the oath subscribed by each member. Any member who refuses to take this oath shall forfeit his office. Any member who is convicted of swearing falsely to or of violating his oath shall forfeit his office and be disqualified thereafter from holding any office in this state.

SECTION 30. A majority of the members elected to each house shall constitute a quorum. Each house shall determine its rules, choose its temporary and permanent officers and judge the election and qualifications of its members. Each house may punish by imprisonment not exceeding twenty-four hours (unless the offense is persisted in) any person not a member guilty of disorderly or contemptuous behavior in its presence; and by a vote of two-thirds of those elected and once only for the same offense may expel a member.

SECTION 31. The doors of each house and of committees of the whole shall be open except when in the opinion of the house secrecy is required. Neither house without the consent of the other shall change its place of sitting or adjourn for more than three days. Each house shall keep and publish a journal of its proceedings. Two members of the senate or five members of the house may have the yeas and nays taken on any question and entered upon the journal. Two members of either house may have entered upon the journal in respectful language the reasons for their dissent from or protest against any act or resolution.

SECTION 32. If the two houses disagree as to time of adjournment, the governor on receiving a certificate of such disagreement from either house may adjourn the general assembly to any time not beyond the first day of the next regular session.

SECTION 33. By joint resolution concurred in on roll call by two-thirds of the members elected to each house, the general assembly may authorize committees to continue after its adjournment *sine die* and until the next regular session convenes.

LEGISLATIVE PROCEDURE.

SECTION 34. No law shall be passed except by bill. Bills may be originated, amended or rejected in either house.

SECTION 35. The enacting clause of laws shall be: Be it enacted by the People of the State of Illinois, represented in the General Assembly.

SECTION 36. No act shall embrace more than one subject and that shall be expressed in the title. Any act embracing a subject not expressed in the title shall be void only as to such subject. No act shall be revived by reference to its title only. An act expressly amending an act shall set forth at length the section or sections as amended.

SECTION 37. Appropriation bills to pay members, officers and employees of the general assembly shall contain no provision on any other subject. Appropriations for the offices of governor, lieutenant governor, secretary of state, attorney general, treasurer, auditor of public accounts and superintendent of public instruction shall be made by separate bills for each office.

SECTION 38. Bills making appropriations of money out of the treasury shall specify the objects and purposes for which the appropriations are made and appropriate to them respectively their several amounts in distinct items and sections.

SECTION 39. No subject matter shall be included in any conference committee report on an appropriation bill unless such subject matter directly relates to matters of difference between the houses and has been specifically referred to the conference committee. No appropriation bill shall be passed and no report of any conference committee on an appropriation bill shall be considered unless the bill or report has been printed in its final form and placed on the desks of the members at least three legislative days prior to the final passage of the bill or the consideration of the report.

SECTION 40. Every bill shall be read by title on three different days in each house but the rules of either house may provide for the reading of bills at greater length on second and third reading.

SECTION 41. Every bill and all amendments thereto, except an amendment striking out an emergency clause, shall be printed before final passage in each house. No bill shall become law unless on final passage in each house a majority of the members elected concur by yea and nay vote which shall be taken separately on each bill and entered upon the journals. When passed by both houses a bill shall be signed by the presiding officers thereof and the facts of printing, placing on the desks of members, signing and presentation to the governor and the date of such presentation shall be entered upon the journals.

SECTION 42. Every bill passed by the general assembly shall be presented to the governor and if signed by him shall thereupon become law. At the time of signing an appropriation bill the governor may disapprove any section or item thereof by appending to the bill a statement of his objections. If the governor does not approve a bill or if he disapproves an appropriation bill in part, he shall return the bill with his objections to the house where it originated. If thereafter such disapproval bill or any disapproved section or item of an appropriation

bill is again approved by two-thirds of the members elected to each house, the bill or such section or item of an appropriation bill shall become law notwithstanding the objections of the governor. Any disapproved bill or disapproved part of an appropriation bill shall be reconsidered first in the house where the bill originated and then sent with the objections of the governor to the other house. Each house before reconsidering shall enter the governor's objections at large upon its journal.

Any bill which is not returned by the governor within ten days, Sundays excepted, after it is presented to him shall thereupon become law as if he had signed it. If the general assembly by adjournment prevents its return the bill shall become law at the end of thirty days after such adjournment unless within that time the governor files the bill and his objections with the secretary of state.

SECTION 43. No appropriation act shall take effect until the first day of July succeeding its enactment and no other act shall take effect until sixty days after the adjournment of the session at which it was enacted; but in an emergency, the fact of which shall be expressed in the body of the act, the general assembly may direct otherwise by a vote of two-thirds of the members elected to each house.

LEGISLATIVE LIMITATIONS.

SECTION 44. No local or special law shall grant divorces; change the names of persons or places; provide for opening, altering or working public highways; vacate highways, public grounds or town plats; regulate county or town affairs; create municipal corporations or amend their charters; provide for summoning or impaneling juries; provide for the management of common schools; regulate interest rates; regulate elections or designate places of voting; regulate the sale or mortgage of real estate of persons under disability; protect game or fish unless by reasonable classification of waters; authorize ferries or toll bridges; remit fines, penalties or forfeitures; change the law of descent; grant the right to construct railroad tracks; grant any special or exclusive privilege, immunity or franchise; or grant or change any corporate powers except those of educational, charitable, reformatory or penal corporations, under the patronage and control of the state.

SECTION 45. No special law shall be enacted if a general law can be made applicable.

SECTION 46. Lotteries and gift enterprises are forbidden.

SECTION 47. No liability due the state or any subdivision thereof or any municipal corporation shall ever be released or extinguished by law.

SECTION 48. No officer shall be elected or appointed by the general assembly or by either house except their respective officers.

SECTION 49. No law shall be passed authorizing any bank of issue or authorizing the state to conduct, own any interest in or incur any liability for any banking business.

SECTION 50. No law shall be passed authorizing the labor of any convict confined within any penitentiary or other reformatory institution to be let to any corporation, association or person.

IMPEACHMENTS.

SECTION 51. The governor and all civil officers of the state shall be liable to impeachment for misdemeanor in office. The house of representatives shall have the sole power of impeachment. A majority of the members elected must concur therein. Impeachments shall be tried by the senate, each senator being upon oath or affirmation to do justice according to the law and the evidence. When the governor is tried the chief justice shall preside. No person shall be convicted without the concurrence of two-thirds of the senators elected. Judgment in case of impeachment shall not extend beyond removal from office and disqualification for any office under the state; but the person impeached whether convicted or acquitted shall be liable to prosecution according to law.

PROVISIONS CONCERNING MEMBERS.

SECTION 52. The pay and mileage allowed each senator and representative shall be certified by the presiding officers of their respective houses and entered upon the journals. No senator or representative shall receive any other compensation or allowance. No law increasing the pay or other allowance of members of the general assembly shall take effect until the second regular session next following its enactment.

SECTION 53. Except for treason, felony or breach of the peace senators and representatives shall be privileged from arrest while going to, attending or returning from sessions of the general assembly. They shall not be questioned elsewhere for any speech in either house.

SECTION 54. No person elected to the general assembly shall receive or hold any lucrative civil appointment in this state during the term for which he is elected.

SECTION 55. No member of the general assembly during his term or within one year thereafter shall be beneficially interested directly or indirectly in any contract, authorized by a law enacted during his term, with the state or any subdivision thereof or any municipal corporation.

MISCELLANEOUS PROVISIONS.

SECTION 56. The general assembly shall pass liberal homestead and exemption laws.

SECTION 57. The general assembly shall pass laws to encourage forestry.

SECTION 58. The general assembly shall pass laws for the protection of operative miners, providing for ventilation and the construction of escapement shafts or other appliances securing safety in mines and shall prescribe such penalties and punishments for the enforcement thereof as it deems proper.

SECTION 59. The general assembly may provide (a) for opening private roads to communicate with public roads, (b) for permitting owners and lessees of lands and minerals to construct drains, ditches and levees on, across or under the lands of others for agricultural, sanitary or mining purposes, (c) for organizing drainage districts for flood control or for sanitary or agricultural purposes with powers of eminent domain and special assessment and (d) for making surveys and straightening and improving water courses at the expense in part

of drainage districts and in part of the state or any subdivision thereof. This section and the three preceding sections shall not be construed as limitations of the powers of the general assembly.

SECTION 60. The general assembly may authorize the state or any subdivision thereof or any municipal corporation to take in fee simple and to hold, lease or sell more land than is needed for a public improvement whenever the court finds the excess is required to protect, preserve or aid the improvement and is reasonable in quantity therefor.

SECTION 61. The general assembly shall not grant the right to occupy the streets or public grounds of any municipal corporation without its consent.

SECTION 62. The general assembly in order to promote the general welfare may authorize cities, villages and incorporated towns to adopt reasonable regulations governing the use and appearance of land and the location, appearance, size and use of structures and to divide their territory into zones to each of which special regulations may be applied. Distinctions may be made between conditions existing at the time of adoption of any such regulations and future conditions. Such regulations shall not be enforced as to conditions existing at the time of their adoption without payment of just compensation unless such regulations might lawfully be so enforced irrespective of the provisions of this section. Any statute in force at the time of the adoption of this constitution (or any ordinance passed in conformity with such statute) which comes within the provisions of this section shall be valid.

SECTION 63. The general assembly may provide for lending money on farm lands in the state; but no act providing therefor (or any amendment thereto) shall take effect until it is approved by a majority of those voting on the question at a general election. Such loans shall be amortized in not to exceed thirty-three years and shall be secured by first mortgages or deeds of trust made by those owning, occupying and cultivating the lands pledged. Reasonable preferences concerning loans may be given to persons honorably discharged from the armed forces of the United States.

SECTION 64. Every stockholder of a bank shall be liable (in addition to any liability for his stock) to the amount of the par value of the stock held by him for liabilities of the bank accruing while he held such stock. The general assembly shall provide the manner in which that obligation may be enforced. In every election for directors of a bank each stockholder may cast, in person or by proxy, as many votes as shall equal the number of directors to be elected multiplied by the number of shares owned by him and may cumulate his votes for one candidate or distribute them among several.

ARTICLE IV.

EXECUTIVE DEPARTMENT.

SECTION 65. The executive department shall consist of a governor, lieutenant governor, secretary of state, attorney general, treasurer, auditor of public accounts, superintendent of public instruction and such

other officers as provided by law. Except the lieutenant governor they shall reside at the seat of government during their terms.

SECTION 66. The governor and lieutenant governor each shall be at least thirty-five years of age and a citizen of the state for ten years next before his election. No elective officer of the executive department shall hold another office during the term for which he is elected.

SECTION 67. No state treasurer shall again hold that office within four years after his term expires. The treasurer may be required by the governor to give reasonable additional security and in default of so doing his office shall be deemed vacant.

SECTION 68. The officers specifically named in section sixty-five of this constitution except the superintendent of public instruction shall be elected in nineteen hundred twenty-four and every four years thereafter. The superintendent of public instruction shall be elected in nineteen hundred twenty-six and every four years thereafter. The term of office of every such officer shall be four years from the second Monday of January next after his election.

SECTION 69. The election returns for officers of the executive department shall be sealed and transmitted by the returning officers to the secretary of state directed to the speaker of the house of representatives. Before that house proceeds to other business and immediately after its organization, the speaker shall open and publish such returns in the presence of a majority of each house assembled in the hall of the house of representatives and then declare elected to each office the person so shown to have the highest number votes therefor. The general assembly by ballot in joint session shall determine contested elections for such offices and in case of tie shall choose in like manner one of the persons tied.

SECTION 70. The public records and papers of the executive department shall be kept at the seat of government.

SECTION 71. The officers of the executive department shall be paid salaries and shall not receive to their own use any other compensation.

SECTION 72. Each officer of the executive department shall perform such duties as are prescribed by law.

SECTION 73. The supreme executive power shall be vested in the governor who shall take care that the laws are faithfully executed.

SECTION 74. At the commencement of each regular session and at the close of his term the governor shall inform the general assembly of the condition of the state and recommend such measures as he deems expedient. At the same times he shall account to the general assembly for all funds subject to his order.

SECTION 75. The governor shall nominate and with the consent by yea and nay vote of a majority of those elected to the senate shall appoint all officers whose appointment or election is not otherwise prescribed by law. If a vacancy exists during the recess of the senate in any office where the appointing power is vested in the governor subject to the consent of the senate, the governor shall make a temporary appointment until the next meeting of the senate when he shall nominate some person for the office. No person rejected by the senate shall be

nominated again for the office at the same session save on request of the senate or be appointed to the office during the recess of the senate.

SECTION 76. For incompetency, neglect of duty or malfeasance in office the governor may remove any officer whom he may appoint.

SECTION 77. The governor may grant reprieves, commutations and pardons for all offenses after conviction on such terms as he thinks proper; but the manner of applying therefor may be regulated by law.

SECTION 78. The governor shall be commander-in-chief of the armed forces of the state except when they are in the service of the United States and may call them out to execute the law, protect life or property, suppress insurrection or repel invasion.

SECTION 79. If the office of governor becomes vacant the lieutenant governor shall become governor for the residue of the term. If the governor fails to qualify, is absent from the state or is under disability, the powers, duties and emoluments of the office shall devolve upon the lieutenant governor for the residue of the term or until the cause which renders the governor incapable of performing his duties is removed. If there is no lieutenant governor or if for any of the above causes he is incapable of performing the duties of the office, its powers, duties and emoluments shall devolve, first upon the president of the senate and after him, for like causes, upon the speaker of the house of representatives; but each of them shall act only until the cause which renders the officer having the prior right incapable of performing the duties of the office is removed or until the vacancy is filled by election.

SECTION 80. If the office of secretary of state, attorney general, treasurer, auditor of public accounts or superintendent of public instruction becomes vacant, the governor shall fill the vacancy by appointment until a successor is elected and qualified.

SECTION 81. Each officer of the executive department and the chief officer of each public institution of the state shall render under oath to the governor a semiannual account of all moneys received or disbursed. At least ten days before the regular session of the general assembly each of these officers shall report the condition of his office to the governor who shall transmit the reports to the general assembly. Additional reports may be required of these officers by the governor.

SECTION 82. The state treasurer as a part of each semi-annual report shall show the daily balances of state funds in his custody and in every bank, safe or other place of deposit or safe keeping where such funds were during the period covered by the report. He shall accompany his report with a sworn statement of an executive officer in charge of every such bank, safe or other place of deposit. Such statement shall show each payment of interest or other compensation made or to be made by reason of the deposit or use or keeping of any part of such funds.

SECTION 83. There shall be a great seal of the State of Illinois to be kept and used by the secretary of state as directed by law.

SECTION 84. The auditor of public accounts shall publish within sixty days after the adjournment of each session of the general assembly a statement of the expenses of such session, specifying the amount of each item and to whom and for what paid.

SECTION 85. A uniform system of accounts for all county officers shall be prescribed and supervised by the auditor of public accounts and their accounts shall be audited by him.

ARTICLE V.

JUDICIAL DEPARTMENT.

SECTION 86. The judicial power shall be vested in a supreme court, in appellate, circuit and county courts and in justices of the peace.

THE SUPREME COURT.

SECTION 87. The supreme court shall consist of nine justices one of whom to be chosen by themselves shall be chief justice.

SECTION 88. The state shall be divided into seven districts for the election of justices. The districts including the county of Cook shall elect three justices, not more than two of whom shall at the time of their respective elections reside in the same county. Each of the other six districts shall elect one justice. Until otherwise provided by law, the seven districts shall remain as at the time of the adoption of this constitution.

SECTION 89. One justice shall be elected in the first district in nineteen hundred thirty-three; one justice shall be elected in the second district in nineteen hundred thirty-five; one justice shall be elected in the third district in nineteen hundred thirty-three; one justice shall be elected in the fourth district in nineteen hundred thirty-nine; one justice shall be elected in the fifth district in nineteen hundred thirty-seven; one justice shall be elected in the sixth district in nineteen hundred thirty-seven; one justice shall be elected in the seventh district in nineteen hundred thirty-one; one justice shall be elected in the seventh district in nineteen hundred thirty-three; one justice shall be elected in the seventh district in nineteen hundred thirty-five. The justices from the seventh district shall be elected on the first Monday of June in the years in which their terms expire and the justices from the first, second, third, fourth, fifth and sixth districts shall be elected on the first Tuesday after the first Monday of November in the years in which their terms expire. The term of office of each justice shall be ten years from the date of his election.

SECTION 90. Whenever a quorum of the supreme court certifies to the governor that it is unable to dispose of pending cases with reasonable dispatch because of the death, disability or resignation of any justice, the governor shall designate a judge of one of the appellate courts to act as a justice of the supreme court and receive the salary paid a justice of that court until the vacancy is filled or the supreme court certifies to the governor that the disability is removed. Such designation shall not affect the term of such judge.

SECTION 91. The supreme court shall sit at the seat of government. A majority of the justices shall constitute a quorum and the concurrence of five shall be necessary for every decision.

SECTION 92. The supreme court shall have original jurisdiction in cases relating to the revenue, in quo warranto, mandamus, habeas corpus·

prohibition and other cases involving questions of great public importance and appellate jurisdiction in all cases.

SECTION 93. The supreme court shall have exclusive power to prescribe rules of pleading, practice and procedure in all courts; but rules not inconsistent therewith may be prescribed respectively by other courts of record. Any rule of pleading, practice or procedure may be set aside by the general assembly by a special law limited to that purpose.

SECTION 94. The supreme court shall appoint its clerk and a reporter of its decisions for terms of six years each subject to removal by the court.

APPELLATE COURTS.

SECTION 95. There shall be an appellate court of the first district, an appellate court of the second district, an appellate court of the third district and an appellate court of the fourth district. They shall be of uniform jurisdiction and have such districts and sit at such places as provided by law.

SECTION 96. Each appellate court shall consist of three judges or such multiple of three as the supreme court may from time to time determine. In appellate courts of more than three judges the supreme court may assign the judges thereof to divisions of three judges each. Each division shall select a presiding judge and the presiding judges shall apportion the work of the court among the several divisions and perform such other administrative acts as may be necessary.

SECTION 97. Judges of appellate courts shall be appointed by the supreme court. The terms of judges of appellate courts shall be six years and shall expire in the first district on December thirty-first, nineteen hundred twenty-eight, and in the other districts on December thirty-first, nineteen hundred twenty-seven, and every six years thereafter respectively, except that judges appointed to newly created divisions shall hold office only until the last day of the pending term for appellate judges. On or before January first, nineteen hundred twenty-nine, in the first district and January first, nineteen hundred twenty-eight, in the other districts and every six years thereafter judges of all the appellate courts shall be appointed. The supreme court for cause shown of record may remove any judge of an appellate court.

SECTION 98. The appellate courts shall hold such sessions as the supreme court may direct.

SECTION 99. Each appellate court shall appoint its clerk for a term of six years subject to removal by the court.

APPEALS AND WRITS OF ERROR.

SECTION 100. Appeals from and writs of error to circuit and county courts may be prosecuted in all cases as follows: (a) to or from the supreme court in all criminal cases where the punishment allowed by law may be death or imprisonment in the penitentiary and in cases where a franchise or a freehold or the validity of a statute is involved, (b) to or from the appellate courts in such other cases as may be prescribed by general rule of the supreme court and (c) to or from the supreme court in all other cases. Except as above limited the supreme

court by general rule may prescribe the final jurisdiction of appellate courts unless otherwise provided by law.

CIRCUIT COURTS OUTSIDE THE COUNTY OF COOK.

SECTION 101. The state outside of the county of Cook shall be divided into judicial circuits formed of contiguous counties as compact in form and as nearly equal as circumstances permit having regard to business, territory and population. The number of such circuits shall not exceed one for every one hundred fifty thousand population except that a circuit may be formed of a county or contiguous counties having a population exceeding one hundred thousand if the business of the circuit court or courts therein occupies nine months of the year. Circuits may be changed by law but only at the first session of the general assembly after the adoption of this constitution and at any session next preceding an election for circuit judges. No such change shall affect the term of any judge.

SECTION 102. In every circuit there shall be elected in nineteen hundred twenty-seven and every six years thereafter three judges of the circuit court whose terms shall be six years from the date of their election.

SECTION 103. In every such county there shall be a circuit court with original jurisdiction of all cases at law and in equity and such other jurisdiction as provided by law.

SECTION 104. The circuit courts shall always be open for the transaction of business. The circuit court shall sit at the county seat of each county. If a city of more than fifty thousand population in any county provides and maintains suitable facilities for holding court, the circuit court shall also sit in such city. In any city wholly or partly in the county, whenever such city or part thereof has not less than five thousand population, a majority of the judges of the circuit may provide for holding sessions of court therein, if such city provides and maintains suitable facilities for holding court.

CIRCUIT COURT OF COOK COUNTY.

SECTION 105. The territory now comprising the county of Cook shall constitute one circuit and have a circuit court with original jurisdiction of all cases, matters and proceedings requiring judicial action and jurisdiction of appeals from justices of the peace.

SECTION 106. There shall be elected to the office of judge of the circuit court of Cook county on the first Monday of June, nineteen hundred thirty-one, nineteen judges as successors to the judges whose terms expire in that year; on the first Monday of June, nineteen hundred thirty-three, nineteen judges as successors to the judges whose terms expire in that year; and on the first Monday of June, nineteen hundred thirty-five, twenty judges as successors to the judges whose terms expire in that year. Thereafter on the first Monday of June of the year in which the terms of any judges of that court expire and every six years thereafter, successors to such judges shall be elected. Provision may be made by law for the election of an additional judge for every fifty

thousand population in the county above three million four hundred thousand. The number of judges may also be reduced by law.

SECTION 107. Judges of the circuit court of Cook county shall be elected for terms of six years from the date of their election. At all elections for judges the ballots therefor shall be separate and distinct from the ballots for non-judicial officers.

SECTION 108. The circuit court of Cook county shall sit in the city of Chicago but provision may be made by law for holding sessions in other cities, villages or incorporated towns in the county having a population of at least five thousand whenever suitable facilities for holding court are provided and maintained without expense to the county or state.

SECTION 109. The supreme court shall establish a civil division and a criminal division of the circuit court of Cook county. The supreme court from time to time shall assign judges to service in the two divisions and shall designate a judge to act as chief justice of each division who shall have such administrative power and authority as may be provided by the supreme court.

SECTION 110. The supreme court may authorize the chief justices of the civil and criminal divisions jointly, by and with the advice and consent of a majority of the judges of the court, to appoint assistants who shall have such judicial or other powers and duties in respect to the business before the court as the supreme court may prescribe. The salaries of such assistants shall be fixed by the county board and paid out of the county treasury.

SECTION 111. Electors of the county of Cook equal in number to one-tenth of the total vote cast for president of the county board at the last preceding election may file in the circuit court a petition to submit to a vote the proposition whether the county shall adopt the system hereinafter provided for the appointment of the judges of the circuit court. Thereupon the chief justice of the civil division of that court by an order entered of record shall call a special election for submitting such proposition within three months after such order is entered. If the proposition is approved by a majority of those voting thereon such chief justice shall declare it adopted. If it is disapproved it shall not again be submitted for six years. Upon the adoption of the proposition the judges in office shall continue in office until removed as herein provided. After the adoption of the proposition the manner of choosing judges of that court shall be as follows: The governor shall fill any vacancy in that court by appointment from a list containing the names of not less than four eligible persons for each vacancy, nominated by a majority of the supreme court, not more than one-half of such persons to be affiliated with the same political party. Thereafter each judge shall hold his office during good behavior subject to removal as herein provided. On the first Monday in June in the sixth year after the election or appointment of every judge, or in the seventh year if the sixth is an even numbered year, and on the same date in every sixth year thereafter the electors of the county shall be given an opportunity at an election to express their disapproval of such judge. If a majority of those voting at any such election disapproves of any judge his office

shall become vacant at the end of three months after the election and for a period of six years thereafter he shall be ineligible to appointment as a judge of such court; if such judge is not disapproved, he shall continue in office and begin a new term on the day of such election. All elections under this section shall be conducted in the manner prescribed by law.

SECTION 112. After five years from the adoption of this constitution the general assembly may divide the circuit court into, and the jurisdiction thereof between, two courts both of which shall be governed by the provisions of this article so far as applicable. No act providing therefor shall become effective until approved by a majority of those voting on the question at a general election in the county of Cook.

COUNTY COURTS.

SECTION 113. In each county except the county of Cook there shall be elected in nineteen hundred twenty-seven and every six years thereafter a judge of the county court except that contiguous counties may by law be made a district in which one judge shall be elected for all county courts in the district. An additional judge shall be elected for every fifty thousand population or major portion thereof in a county or district above a population of fifty thousand. The term of every county judge shall be six years from the date of his election.

SECTION 114. In every such county there shall be a county court which shall have (a) original jurisdiction of all matters of probate, guardianship, conservatorship and apprenticeship, the administration and settlement of estates of deceased persons and proceedings for the sale of real estate where required for the administration and settlement of such matters or estates, proceedings relating to taxes and assessments and their collection, and criminal cases below the grade of felony, (b) concurrent jurisdiction with the circuit courts in testamentary trusts, construction of wills and partition of real estate where any such proceeding is incidental to its original jurisdiction, (c) exclusive jurisdiction of appeals from justices of the peace and (d) such other jurisdiction as provided by law.

SECTION 115. County courts shall always be open for the transaction of business. The court shall sit at the county seat and shall also sit in cities in the county of twenty thousand population or more whenever suitable facilities for holding court are provided and maintained without expense to the county or state.

JUSTICES OF THE PEACE.

SECTION 116. Justices of the peace and constables outside the county of Cook shall be elected or appointed in such towns or districts and such justices of the peace shall have such uniform jurisdiction as provided by law. They shall receive salaries from their respective towns or districts to be fixed by the county board.

SECTION 117. The chief justice of the civil division of the circuit court of Cook county shall appoint a justice of the peace and a constable in each town or portion of town in the county outside the city of Chicago, each of whom shall hold office for two years unless sooner re-

moved by such chief justice for cause shown of record. An additional justice of the peace and constable may be appointed in every such town or portion of town for every additional ten thousand population therein or major portion thereof above a population of ten thousand. Such justices of the peace shall have the same jurisdiction and such constables shall perform the same duties in the part of the county of Cook outside the city of Chicago as like officials in the rest of the state. The salaries of such justices of the peace and constables shall be fixed by the county board and paid by the county.

SECTION 118. The offices of justice of the peace and constable or either of them may be abolished or restored in any town or district (or in any town or portion of a town in the county of Cook or in that part of the county of Cook outside the city of Chicago as a whole) by a majority vote of the electors thereof voting on the question as provided by law.

STATE'S ATTORNEYS.

SECTION 119. There shall be a state's attorney elected in each county in nineteen hundred twenty-four and every four years thereafter for a term of four years from the first Monday of December next after his election. At the time of his election or appointment he must be licensed to practice law in this state.

GENERAL PROVISIONS.

SECTION 120. Laws relating to courts having the same jurisdiction and to the force and effect of the process, judgments and decrees of such courts severally shall be uniform.

SECTION 121. The general assembly, upon due notice and opportunity for defense and for cause entered upon the journal of each house, may remove any justice or judge upon concurrence in each house of three-fourths of its members elected. All other officers mentioned in this article shall be removed from office on conviction for misdemeanor in office.

SECTION 122. Provision may be made by rule of the supreme court for the bringing of actions or proceedings in which a merely declaratory judgment or decree or order is sought and for authorizing the court to make a binding declaration of right whether or not any consequential relief may be claimed.

SECTION 123. Process shall run: In the name of the People of the State of Illinois. Prosecutions shall be carried on: In the name and by the authority of the People of the State of Illinois; and shall conclude: Against the peace and dignity of the People of the State of Illinois.

SECTION 124. Justices of the supreme court and judges of the appellate and circuit courts shall be at least thirty-five years of age and for at least ten years shall have been licensed to practice law in this state and for such time in this state shall have been engaged in the practice of law or acted as judicial officers or both. Judges of the county courts shall be at least thirty years of age and for at least five years shall have been licensed and had like experience.

SECTION 125. Judicial officers shall be commissioned by the governor and the appointing power to fill vacancies in elective judicial offices shall be vested in him except as otherwise provided herein.

SECTION 126. The officers of the judicial department shall reside in the district, circuit or county for which they are respectively elected or appointed.

SECTION 127. Justices of the supreme court and judges of the appellate, circuit and county courts shall be paid salaries by the state which shall be uniform for the several courts except county courts. In the county of Cook judges of the appellate and circuit courts shall each receive the salary paid such judges respectively in the rest of the state and such further compensation from the county of Cook as provided by law.

SECTION 128. No justice of the supreme court or judge of any court of record so long as he holds such office shall receive any compensation, perquisite or benefit other than his salary or engage in the practice of law.

SECTION 129. Whenever the supreme or appellate court districts are changed they shall be formed of contiguous counties as compact in form and as nearly equal in population as may be. No such change shall affect the term of any justice or judge.

SECTION 130. The supreme court may temporarily assign judges of the appellate courts from one district to another and judges of the circuit courts from one circuit to another.

SECTION 131. If a judge of any circuit or county court is appointed judge of an appellate court, the vacancy so caused in the circuit or county court shall be filled by appointment by the supreme court. The judge so appointed to the circuit or county court shall serve until his successor is elected and qualified.

ARTICLE VI.

SUFFRAGE AND ELECTIONS.

SECTION 132. Excepting only idiots and persons adjudged insane or convicted of infamous crime and not restored to civil rights, every citizen of the United States above the age of twenty-one years who has resided in the state one year and (unless naturalized because of military or naval service) in the United States five years shall be a qualified elector. He may vote only in the election district and county in which he has resided thirty and ninety days respectively next before such election.

SECTION 133. No person shall be deemed to have lost his voting residence because of absence in the service of the state or the United States or to have gained a voting residence because he has been stationed as a soldier, seaman or marine in this state.

SECTION 134. Votes shall be by ballot.

SECTION 135. Except for treason, felony or breach of the peace electors shall be privileged from arrest during attendance at and in

going to and returning from elections. Militia duty shall not be required of electors on election days except in time of war or public danger.

SECTION 136. In that part of the state outside the county of Cook no final election of officers, except justices of the supreme court in the district of which the county of Cook is a part, shall be held save on the first Tuesday after the first Monday of November which shall be a holiday; but after the first day of January, nineteen hundred twenty-seven, the general assembly by a vote of two-thirds of the members elected to each house may provide for the election of officers at other times.

SECTION 137. Every vacancy in an elective office which would continue a year or more beyond the first regular election occurring after ninety days shall be filled at such election; but such vacancy prior to the qualification of the person elected and all other vacancies may be filled by appointment.

SECTION 138. This article shall apply to all elections under this constitution or other law.

ARTICLE VII.

REVENUE AND FINANCE.

REVENUE.

SECTION 139. The power of taxation shall never be surrendered, suspended or contracted away. All taxes shall be levied and collected only under general law and for public purposes. Taxes levied for state purposes shall never be released, discharged or commuted. The specification herein of objects and subjects of taxation shall not deprive the general assembly of the power to require other objects or subjects to be taxed in such manner as may be consistent with the principles of taxation fixed in this constitution.

SECTION 140. Taxes may be imposed on privileges, franchises and occupations, uniform as to class.

SECTION 141. The general assembly shall provide for the levying of taxes upon property by valuation so that every person or corporation shall pay a tax in proportion to the value of his or its property, such value to be ascertained by some person or persons to be elected or appointed in such manner as the general assembly shall direct and not otherwise.

SECTION 142. In lieu of any tax on intangible property or any kind or class thereof, by valuation, the general assembly may provide a uniform and substantial tax on the income derived therefrom. The rate of such tax shall be uniform on all incomes taxed under this section.

SECTION 143. A general income tax may be imposed upon all net incomes. If such income tax is graduated and progressive the highest rate shall not exceed three times the lowest rate.

SECTION 144. Taxes on incomes shall be levied and collected only by the state. The revenue raised under the general income tax shall be apportioned to the state and to the taxing bodies as the general assembly may prescribe. Of the revenue raised under any income tax imposed

under section one hundred forty-two of this constitution there shall be used for state purposes the same percentage as is used from the total revenue from taxes by valuation and the residue shall be returned to the respective counties from which it was collected to be distributed among the taxing bodies thereof as provided by general law.

SECTION 145. Exemptions and deductions may be allowed as follows and not otherwise:

First, the following classes of property and the income therefrom may be relieved by general law from taxation; (1) public property; (2) household furniture used as such up to five hundred dollars in value; (3) parsonages owned and used as such; (4) property used exclusively for (a) agricultural and horticultural societies not organized for pecuniary profit, (b) incorporated societies of war veterans, (c) cemeteries not held for private profit and (d) school, charitable or religious purposes.

Second, if a general income tax is imposed as authorized in section one hundred forty-three of this constitution, the general assembly may provide for; (1) an exemption of all household furniture and implements of agriculture or labor used as such without limit as to amount; (2) an exemption from income derived from personal service of not to exceed one thousand dollars to the head of a family plus two hundred dollars for each dependent child under the age of sixteen years, and not to exceed five hundred dollars to any other person; (3) such deductions as shall compensate for taxes paid on property from which the taxed income is derived or for income tax paid in lieu of a tax by valuation or for taxes paid under section one hundred forty of this constitution.

SECTION 146. Areas devoted to forests or forest culture may be classified for or exempted from taxation.

SECTION 147. No contract, obligation or liability whatever of the Illinois Central Railroad Company to pay any money into the state treasury, nor any lien of the state upon, or right to tax property of, that company, in accordance with the provisions of the charter of that company, approved February tenth, in the year one thousand eight hundred fifty-one, shall ever be released, suspended, modified, altered, remitted, or in any manner diminished or impaired by legislative or other authority; and all moneys derived from that company after the payment of the state debt shall be appropriated and set apart for the payment of the ordinary expenses of the state government, and for no other purpose whatever.

SECTION 148. The general assembly may vest the corporate authorities of cities, villages, incorporated towns and park districts, jointly or severally, with power to make local improvements by special assessment, by special taxation of contiguous property or otherwise.

SECTION 149. No owner of real estate shall be divested of title default in payment of general or special taxes or assessments except upon sale by the county treasurer or by forfeiture to the state and in either case only after judgment of a court of record entered after notice as provided by law. Not less than two years shall be allowed to redeem from such sale or forfeiture. The general assembly may provide that the holder of a tax title based on any tax sale hereafter made may waive

claim of title to the land sold and be subrogated to the lien for the tax or assessment for which the sale was made and proceed in equity to foreclose such lien with additional penalties as provided by law.

SECTION 150. The general assembly shall not impose taxes (except income taxes as authorized in this article) in municipal corporations for corporate purposes but may vest the corporate authorities thereof with authority to assess and collect taxes for all corporate purposes and shall require that all the taxable property within the limits of municipal corporations shall be taxed for the payment of debts contracted under authority of law. Private property shall not be liable for such debts. Taxes imposed by municipal corporations shall be uniform as to persons and property.

FINANCE.

SECTION 151. All taxes levied for state purposes shall be paid into the state treasury.

SECTION 152. No payment of money belonging to or for the use of the state shall be held to be made to any officer of the executive department until evidenced by the receipt of the state treasurer.

SECTION 153. Each general assembly shall make appropriations for the expenses of the government for a period of two years from the first day of July of the year in which it convenes. After such appropriations have been made the aggregate amount thereof shall not be increased except by a vote of two-thirds of the members elected to each house. All appropriations for any such two year period shall end with the period except that obligations incurred during the period may be paid within three months thereafter.

SECTION 154. No money shall be drawn from the state treasury except under an appropriation made by law and on presentation of a warrant issued by the auditor of public accounts.

SECTION 155. The state may contract debts (a) for meeting casual deficits in revenue up to one million dollars, (b) for defense in war, suppressing insurrection or repelling invasion and (c) for the deep waterway as provided in this constitution. Money so borrowed shall be applied only to the purpose for which it is obtained or for the payment of the debts thus created. No other debt shall be contracted by the state unless the law authorizing it is approved by a majority of those voting for members of the house of representatives at a general election. The general assembly shall provide for the publication of any such law for at least three months before the election. Provision shall be made when the debt is contracted for the annual payment of interest either by a tax to be levied for the purpose or by setting aside other revenues. Any law providing for such tax shall be submitted in like manner with the law authorizing the debt and if approved shall be irrepealable.

SECTION 156. No county, town or school district shall become indebted in the aggregate including its existing debt to an amount exceeding five per cent, and no municipal corporation to an amount exceeding six per cent, of the value of the taxable property therein as ascertained by the last assessment for state and county taxes previous to incurring the debt. The corporate body incurring any such debt before or at the time of doing so shall provide for the collection of a direct annual tax

sufficient to pay the interest on the debt and to pay the principal thereof in substantially equal annual installments within twenty years. But provision may be made before or at the time of incurring the debt for the payment of any part of it before maturity. This section shall not apply to or within the county of Cook.

SECTION 157. Except as otherwise provided in this constitution the money or credit of the state shall never be used in aid of any public or private corporation, association or person.

SECTION 158. Claims against the state under agreements made without express authority of law shall be void except claims for expense incurred for defense in war, suppressing insurrection or repelling invasion.

SECTION 159. Except in payment of temporary rent, of temporary hospital service, of purchase price or (in the event and only in the event that public institutions or agencies are not adequate or available) of not to exceed the cost of temporarily maintaining and supporting during their terms of commitment, neglected, defective, dependent or delinquent persons committed by courts of competent jurisdiction to institutions or agencies under public inspection, no public money shall be paid or other public property be given or applied for any sectarian purpose or to any institution controlled by a church or sect.

ARTICLE VIII.

LOCAL GOVERNMENTS.

COUNTIES.

SECTION 160. In each county the following county officers shall be elected: a sheriff, a county clerk, a treasurer who shall be *ex officio* collector of taxes until otherwise provided by law, a coroner, a clerk of the circuit court and, in counties of sixty thousand population or more, a recorder of deeds.

SECTION 161. In each county there may be a county superintendent of schools whose qualifications, time and manner of election or appointment, term of office, powers, duties and compensation shall be prescribed by law.

SECTION 162. The sheriff, the county clerk and the treasurer shall be elected in nineteen hundred twenty-six and every four years thereafter and the coroner, the clerk of the circuit court and the recorder of deeds in nineteen hundred twenty-four and every four years thereafter, each for a term of four years. In counties not under township organization a commissioner shall be elected in nineteen hundred twenty-three and each year thereafter for a term of three years. The term of every elective county officer shall begin on the first Monday of December next after his election.

SECTION 163. The board of supervisors in counties under township organization, the county commissioners of the county of Cook and the county commissioners in counties not under township organization shall constitute the county board of their respective counties.

SECTION 164. No elected county treasurer shall succeed himself.

SECTION 165. Fees of county and town officers, as provided by law, shall be uniform as to classes of counties or towns and for this purpose there shall not be more than three classes of counties.

SECTION 166. The organization and government of and offices in counties as provided in this constitution may be changed by law uniform as to classes of counties; but any such law shall become effective in a county only after approval by a majority of those voting on the question.

Section 167. No county may abandon or adopt any form of organization unless a majority of those voting on the question shall approve the change.

SECTION 168. No county shall be changed in area unless the change is approved by a majority of those voting on the question in each county and each part affected. Any territory taken from a county shall be liable for its proportion of the debt of such county.

SECTION 169. No county seat shall be removed unless three-fourths of those voting on the question shall approve the removal to the place designated except that a majority only shall be required to remove a county seat nearer to the center of the county. No person shall vote on the question unless he has resided in the election precinct ninety days and in the county six months next preceding the election. Such question shall not be submitted oftener than once in ten years.

COUNTIES OTHER THAN THE COUNTY OF COOK.

SECTION 170. There shall be an assessor in each county to be selected as provided by law. The county clerk shall be *ex offico* clerk of the county court. In counties of less than sixty thousand population the clerk of the circuit court shall be *ex officio* recorder of deeds. In counties of fifty thousand population or more an auditor may be selected as provided by law.

SECTION 171. The compensation of all county officers (except the county superintendent of schools) and the number and compensation of their employees shall be fixed by the county board and paid by the county treasurer on the order of the county board.

SECTION 172. No county shall be so created or reduced as to contain less than four hundred square miles nor shall any part of a county within ten miles of its seat be taken for a new county.

SECTION 173. Unless authorized by a majority of those voting at an election no county shall levy taxes in excess of three-fourths of one per cent of valuation. But in case a county is made the unit for the levy and collection of taxes for road and bridge purposes an additional amount not exceeding three-fourths of one per cent of valuation for such purposes may be levied which may be increased when authorized by a majority of those voting at an election.

This and the three preceding sections shall not apply to the county of Cook.

COUNTY OF COOK.

SECTION 174. The county business of the county of Cook shall be transacted by a board of fifteen commissioners ten of whom shall be elected from the city of Chicago and five from the rest of the county.

SECTION 175. Each county officer in the county of Cook shall receive as his sole compensation a salary to be fixed by law. Such salary shall be less than the compensation of a judge of the circuit court of the county. The circuit court by rule entered of record shall determine the number and the county board shall determine the compensation of deputies and assistants of the sheriff, treasurer, coroner, recorder of deeds and clerk of the circuit court.

SECTION 176. The general assembly may consolidate with the city of Chicago the portion of the county of Cook lying within the city. Any law providing therefor shall adjust the powers, offices, rights and liabilities of the county (both in the portion within the city and in the portion outside the city) and may either devolve them in whole or in part upon the city or provide otherwise for their exercise and assumption. Whenever the entire powers of any office are taken away the office shall be abolished. No such law shall take effect until approved both in the city of Chicago and in the portion of the county lying outside the city by a majority of those voting on the question.

SECTION 177. Unless authorized by a majority of those voting on the question at an election the county of Cook shall never levy taxes in excess of three-fourths of one per cent of valuation except such additional taxes as may have been authorized prior to the adoption of this constitution.

CITY OF CHICAGO.

SECTION 178. Except as expressly prohibited by law the city of Chicago is hereby declared to possess for all municipal purposes full and complete power of local self-government and corporate action. This grant of power shall be liberally construed and no power of local self-government or corporate action shall be denied the city by reason of not being specified herein. The city however may impose taxes and borrow money only as authorized by the general assembly or by this article. Until otherwise provided by the city charter the powers heretofore granted the city shall be preserved and exercised in accordance with law and the additional powers granted by this section shall be exercised by or in accordance with city ordinances.

SECTION 179. The legislative authority of the city of Chicago, from time to time and after approval of the proposition at an election in such manner as it may provide, may call an elective convention to frame a new city charter or to revise or amend any existing charter. The proposals of any such convention shall be submitted to the voters for adoption in the manner provided by it. Subsequent amendments may also be proposed and submitted to the voters in such manner as the charter may provide. State election laws and the powers and duties existing thereunder shall be available for the purposes of this section. The charter so framed, revised or amended and ordinances passed thereunder shall prevail over state laws so far as the organization of the city government, the distribution of powers among its official agencies and the tenure and compensation of its officers and employees are concerned. Rates of compensation as well as conditions of appointment and promotion in the classified civil service of the city shall be determined accord-

ing to a general plan which shall recognize merit and fitness as controlling principles. A certified copy of such charter or any amendment thereto shall be filed with the secretary of state within thirty days after its adoption.

SECTION 180. The city of Chicago shall have power to take in fee simple or otherwise or damage private property (including public utilities and the privileges or licenses held in connection therewith) for public use in accordance with law.

SECTION 181. The city of Chicago, subject to regulation by general law, may own, acquire, construct, operate, sell, pledge, lease or let public utilities or buy or sell the service thereof.

SECTION 182. The general assembly may enact local or special laws relating to the municipal affairs of the city of Chicago but such laws shall not take effect until the city consents. A law which at the time of its enactment is applicable to the municipal affairs of no other city than the city of Chicago shall be deemed a local or special law.

SECTION 183. The consent of the city of Chicago whenever required by this article shall be expressed by ordinance but the general assembly, the city charter or the ordinance may prescribe in addition approval of the ordinance by the voters.

SECTION 184. The consent of the city of Chicago shall be required for the creation, enlargement or consolidation of any municipal corporation (except a county) exercising taxing powers within the city or for any increase of the taxing powers of any such municipal corporation hereafter created or enlarged. No ordinance expressing consent to the creation, enlargement or consolidation of any municipal corporation shall take effect until ninety days after its enactment and if within that time either five thousand voters or one-third of the legislative authority of the city petition that body to submit the question at an election the ordinance shall not take effect until approved by a majority of those voting on the question.

SECTION 185. The charter framed, revised or amended under section one hundred seventy-nine of this constitution may provide:

(a) For the consolidation with the city of Chicago of any or all local governments or other authorities (in whole or in part) now or hereafter exercising powers confined to the city limits; and also of that part of any town (partly within and partly without the city) now or hereafter lying within the city limits. After consolidation with the city of any town (or part thereof) the powers of all officers therein relating to collection of taxes shall be exercised by the county treasurer until otherwise provided by law.

(b) For the consolidation with the city of Chicago of the Sanitary District of Chicago and the Forest Preserve District of Cook County, or either of them. No consolidation of either of such districts shall take effect until approved at an election by a majority of those voting on the question both in the district and in the city. The question of consolidation of either district shall be submitted to the voters thereof as a separate proposition and the election officials responsible for conducting elections therein shall submit the question in the manner provided by the charter. The city shall exercise no taxing power outside its limits

by virtue of consolidating either district. Upon consolidation of the Sanitary District of Chicago with the city of Chicago and until otherwise provided by law, the city shall furnish without charge sewage disposal service beyond its limits in the district, to the extent then furnished by the district; and the city may be required by law to furnish at cost additional or increased sewage disposal service in such territory. All duties or obligations imposed by law at the time of such consolidation for the benefit of the inhabitants of such territory or any part thereof upon the city or the Sanitary District of Chicago with respect to other forms of service shall be assumed by the city unless it is relieved therefrom by the general assembly.

Any authority consolidated with the city of Chicago under this section shall be abolished and the city shall succeed to all the powers, property and liabilities thereof. If any consolidation proposed under this section fails to be approved at any election, the question may be resubmitted from time to time in the manner provided by the charter.

SECTION 186. After any consolidation authorized by the foregoing section has taken effect and until a new tax rate is fixed by law, the city of Chicago may levy an additional annual tax equal to the amount of taxes caused to be extended by the authority so consolidated upon the collector's warrants in the year last preceding consolidation.

SECTION 187. The rights of the city of Chicago under the Act for the Consolidation of Local Governments, approved June twenty-ninth, nineteen hundred fifteen, or any amendment thereof are not affected by this article.

SECTION 188. The general assembly may provide other methods for consolidating local authorities with the city of Chicago subject to its consent.

SECTION 189. After any consolidation authorized by this article has taken effect the city of Chicago may become indebted in the aggregate up to seven per cent of the full value of the taxable real property therein as ascertained by the last assessment for state and county taxes previous to incurring the debt. In computing such aggregate amount there shall be included the existing indebtedness of the city and of all municipal corporations within the city and also the city's proportionate share (determined according to valuation of taxable real property) of the existing indebtedness of all municipal corporations partly within and partly without the city.

SECTION 190. Neither the county of Cook nor any city, town, school district or other municipal corporation in the county shall become indebted in the aggregate including its existing debt to an amount exceeding seven per cent of the value of the taxable real property therein as ascertained by the last assessment for state and county taxes previous to incurring the debt. The corporate body incurring any such debt, before or at the time of so doing, shall provide for the collection of a direct annual tax sufficient to pay the interest on the debt and to pay the principal thereof in equal annual installments within twenty years. But provision may be made at the time of incurring the debt for the payment of any part of it before maturity.

SECTION 191. The city of Chicago shall incur no new bonded indebtedness (except for refunding purposes) without the approval at an election of a majority of those voting on the question.

SECTION 192. The city of Chicago may issue bonds (in addition to any debt otherwise permitted by this constitution) for the purpose of acquiring, leasing, constructing or operating income-producing property for supplying transportation or water. At or before the time of issuing any such bonds the city shall provide for the collection of a direct annual tax sufficient to pay the interest thereon and the principal thereof within forty years. Unless otherwise provided in the ordinance authorizing the issuance of any bonds for financing any such income-producing public utility, such bonds shall be held to be issued under the foregoing provisions of this section.

The city having issued bonds under the provisions of this section, thereafter at least four months before any tax for the payment of the principal and interest of any such bonds or for the payment of the principal and interest of any other indebtedness incurred for financing the same utility becomes collectible by law, shall deposit with the city treasurer, out of the gross earnings or the rentals of the utility for financing which the debt to be discharged by any such tax was incurred, a sum equal in amount to such tax. The money so deposited shall be used only to pay such principal and interest. To the extent that such funds are deposited prior to the collection of any such tax it shall not be collected.

The city having issued bonds under the provisions of this section shall thereafter establish and maintain such rates or charges for the service supplied or such rentals if the property is let for private operation as may be necessary to provide at least sufficient revenue to pay (a) the principal and interest of all outstanding bonded or other indebtedness incurred for financing such utility and (b) the cost or expense involved in or incidental to the ownership, operation or maintenance of such utility, including taxes, assessments and reserves for repairs and renewals necessary to maintain the property in first-class condition.

Any taxpayer of the city shall have the right, which shall not be exclusive in him, to enforce the provisions of this section by appropriate proceedings in the circuit court of the county. That court shall enforce the provisions of this section and for such purpose shall have all necessary powers including the power to regulate the service supplied by any such utility.

SECTION 193. Each issue of bonds or other securities by the city for financing any income-producing public utility shall be payable in substantially equal annual installments of principal and interest combined, beginning not more than five years from the date thereof. But provision may be made at the time of incurring the debt for the payment of any part of it before maturity. No such bonds or other securities shall be issued without the approval at an election of a majority of those voting on the question. The city of Chicago if it owns or operates any such public utility shall conform to the same requirements for keeping

accounts and for the audit thereof and for making reports as are prescribed by law for a like utility privately owned.

If the city of Chicago constructs or acquires a subway or other property for transportation purposes, it may let the property to an operating company but only for such period of time as may be approved at an election in the city by a majority of those voting on the question.

Publicly owned income-producing property of the city of Chicago (or of any local government or authority exercising powers within the limits of the city) used for supplying transportation shall be taxed in the same manner as privately owned property used for a like purpose, notwithstanding any other provision in this constitution.

Laws may be passed in aid of this and the preceding section.

ARTICLE IX.

Public Servants.

Section 194. An office is a public position created by the constitution or law continuing during the pleasure of the appointing power or for a fixed time with a successor elected or appointed. An employment is an agency for a temporary purpose which ceases when that purpose is accomplished.

Section 195. To hold any office created by this constitution a person shall be a citizen of the United States, resident in this state one year and able to read and write the English language.

Section 196. No person shall hold any public office who has been convicted of an infamous crime or is in default as collector or holder of public money or if he holds any office under the United States (except as a postmaster whose annual compensation does not exceed three hundred dollars) or under a foreign government.

Section 197. All civil officers except members of the general assembly and such inferior officers as may be exempted by law, before they enter upon the duties of their respective offices shall take and subscribe the following oath or affirmation:

I do solemnly swear (or affirm) that I will support the constitution of the United States and the constitution of the State of Illinois and that I will faithfully discharge the duties of the office of .....to the best of my ability.

No other oath, declaration or test shall be required as a qualification.

Section 198. All public officers shall hold office until their successors have qualified.

Section 199. No public officer shall have his term extended by law after his election or appointment.

Section 200. No legislative, executive or judicial officer and no officer of any county shall receive to his own use any fees, fines, costs, perquisites, percentages, interest, benefits, emoluments or allowances.

Section 201. No public officer shall have his compensation increased or diminished during his term.

SECTION 202. No extra compensation or allowance shall be given by law to any public officer, employee or contractor after service has been rendered or contract made.

SECTION 203. Every public officer shall make a report under oath at least semiannually to some official to be designated by law of all fines, fees, costs, perquisites of office or public moneys collected. Every such officer shall pay at least monthly to some official designated by law all public moneys and interest thereon received by or for him.

SECTION 204. No officer of this state shall be beneficially interested directly or indirectly in any contract with the state. No officer of any subdivision of the state or of any municipal corporation or of any board or commission shall be beneficially interested directly or indirectly in any contract with the particular body of which he is an officer.

SECTION 205. No statute of limitation shall begin to run in favor of a public officer until an audit of his accounts has been made as provided by law.

SECTION 206. Any public officer or employer or his beneficiary may be given by law a vested interest in the accumulated portion of any death, disability or retirement fund to which he is required by law to contribute a part of his compensation; but such interest shall attach only to the fund accumulated and shall impose no obligation on the state to create or maintain such fund.

SECTION 207. All laws of the State of Illinois and all official writings and legislative, executive and judicial proceedings shall be conducted, preserved and published in no other than the English language; but this shall not prevent the use of abbreviations in the files and records of judicial proceedings.

ARTICLE X.

EDUCATION.

SECTION 208. The general assembly shall provide a thorough and efficient system of free schools whereby all children of this state may receive a good common school education.

SECTION 209. The general assembly shall make adequate provision for the maintenance and development of the University of Illinois and the system of state normal schools.

SECTION 210. Property received for public education and the proceeds of such property shall not be diverted to another purpose except that by consent of the school officers holding legal title special assessments may be levied on school property.

SECTION 211. No school officer shall be financially interested in any contract concerning any school with which he is connected or in any book, apparatus or furniture used in such school.

ARTICLE XI.

Militia.

Section 212. The militia of the State of Illinois shall consist of all able-bodied male persons resident in the state between the ages of eighteen and forty-five, except such persons as now are or hereafter may be exempted by the laws of the United States or of this state. No person, because of conscientious scruples against bearing arms, shall be exempted by the laws of this state from any military service declared by the governor to be noncombatant.

Section 213. All militia officers shall be commissioned by the governor and may hold their commissions for such time as the general assembly may provide.

Section 214. Members of the organized militia in all cases except treason, felony or breach of the peace shall be privileged from arrest during their attendance at and in going to and deturning from musters and military elections.

Section 215. The military records, banners and relics of the state shall be preserved as enduring memorials of the patriotism and valor of the men of Illinois.

ARTICLE XII.

Warehouses and Common Carriers.

Section 216. Elevators and storehouses where property is stored for compensation are public warehouses.

Section 217. The manager of every public warehouse in cities of over one hundred thousand population, or such population as may be provided by law, shall post conspicuously each week in the office of the warehouse a sworn statement of the amount and grade of grain and also of the other property stored therein and of the warehouse receipts outstanding and shall file a copy of the statement in a place designated by law. Changes in quantity and grade of grain stored shall be noted daily upon the statement in the warehouse. Unless the owner or consignee consents different grades of grain shipped in separate lots shall not be mixed.

Section 218. The holder of a public warehouse receipt may always examine the property and the warehouse records thereof.

Section 219. Railroads and other common carriers shall, at the point of shipment, weigh or measure and receipt for the full amount of grain and deliver it to the consignee or owner.

Section 220. Railroads shall deliver grain to any consignee who can be reached by an available track and shall permit connections so that any public warehouse, coal bank or coal yard may be reached by cars.

Section 221. It shall be the duty of the general assembly to pass all necessary laws to prevent the issue of false and fraudulent warehouse receipts and to give full effect to this article which shall be liberally construed to protect producers and shippers. The enumeration of remedies

herein shall not be construed to deny to the general assembly the power to prescribe by law such other remedies as may be found expedient or to deprive any person of existing common law remedies.

SECTION 222. The general assembly shall pass laws for the inspection of grain and for the protection of producers, shippers and receivers of grain and produce.

SECTION 223. Railroads are hereby declared public highways and shall be free to all for the transportation of persons and property under such regulations as may be prescribed by law. The general assembly shall from time to time pass laws establishing reasonable maximum rates for the transportation of passengers and freight thereon.

SECTION 224. The general assembly shall pass laws to correct abuses and prevent unjust discrimination and extortion in the rates of freight and passenger tariffs on the different railroads in this state and enforce such laws by adequate penalties to the extent if necessary of forfeitures of their property and franchises.

SECTION 225. Nothing in the two preceding sections shall be construed to limit the powers of the general assembly.

SECTION 226. The owner shall retain the fee of land taken for railroad tracks without his consent.

SECTION 227. Rolling stock and other movable property of common carriers shall be subject to execution sale.

ARTICLE XIII.

CANALS AND WATERWAYS.

SECTION 228. In addition to the proceeds of the twenty million dollars of bonds heretofore authorized for the deep waterway, ten million dollars may be appropriated therefor and all or part thereof secured by issuing bonds. The state shall make no other expenditure for any canal or waterway or appurtenance thereto except from the income thereof unless the expenditure is approved by a majority of all those voting at a general election.

SECTION 229. Except as provided in this article no waterway or canal owned or improved by the state shall be sold or leased until the proposition therefor is approved by a majority of those voting at a general election.

SECTION 230. The general assembly may authorize the lease of the Illinois and Michigan Canal or any part thereof to provide terminals in connection with the Illinois Waterway or other navigable channels. Such terminals shall be for public use without discrimination.

SECTION 231. Leases of state canals and waterways and of state property held in connection therewith including water power shall be subject to revaluation every twenty years.

ARTICLE XIV.

AMENDMENTS TO THE CONSTITUTION.

SECTION 232. Whenever two-thirds of the members of each house of the general assembly by a vote entered upon the journals concur that

a convention is necessary to revise, alter or amend the constitution, the question shall be submitted to the electors at the next general election. If a majority voting at the election vote for a convention, the general assembly at the next session shall provide for a convention to consist of twice the number of members of the senate to be elected in the same manner, at the same places and in the same districts as senators, plus seven members to be elected at large from the county of Cook. The general assembly in the act calling the convention shall designate the day, hour and place of its meeting, fix the pay of its members and officers and provide for their payment and for the expenses necessarily incurred by the convention in the performance of its duties. Before entering upon their duties the members shall take an oath to support the constitution of the United States and the constitution of Illinois and to discharge faithfully their duties as members of the convention. The qualifications of members shall be the same as those of senators and vacancies shall be filled in the manner provided for filling vacancies in the general assembly. The convention shall meet within three months after the election and prepare such revision, alteration or amendments of the constitution as it deems necessary. Such revision, alteration or amendments shall be submitted to the electors for their ratification or rejection at an election appointed by the convention for that purpose not less than two months nor more than six months after its adjournment. Unless so submitted and approved by a majority of those voting at the election no such revision, alteration or amendment shall take effect.

SECTION 233. Amendments to the constitution may be proposed in either house of the general assembly and if voted for by two-thirds of the members elected to each house such proposed amendments together with the yeas and nays of each house thereon shall be entered in full upon their respective journals. Such amendments shall be submitted in the manner prescribed by law to the electors for adoption or rejection at the next election for members of the general assembly and shall be published in full at least three months before the election. If electors equal in number to a majority of the votes cast for members of the house of representatives vote for the proposed amendments they shall become part of the constitution. The general assembly shall not propose amendments to more than two article of the constitution at the same session nor to the same section oftener than once in four years.

SCHEDULE.

That no inconvenience may arise from the alterations and amendments made to the constitution of this state and to carry them into effect it is hereby ordained and declared:

SECTION 1. All laws in force at the adoption of this constitution not inconsistent therewith and all rights, actions, prosecutions, claims and contracts of this state or of individuals or of bodies corporate shall continue to be as valid as if this constitution had not been adopted. An Act entitled, "An Act to Revise the Law in Relation to Banks and Banking," approved June twenty-third, nineteen hundred nineteen, shall

continue in force unchanged until the first day of July, nineteen hundred twenty-five and thereafter until revised, repealed, or amended.

SECTION 2. All fines, taxes, penalties and forfeitures due this state under the present constitution and laws shall inure to the people of this state under this constitution.

SECTION 3. Recognizances, bonds, obligations, and all other instruments entered into before the adoption of this constitution to the people of this state or to any subdivision thereof or to any municipal corporation or to any public officer shall remain binding and valid. All crimes and misdemeanors shall be tried and punished as if no change had been made in the constitution of this state.

SECTION 4. All persons now holding offices or appointments shall continue the exercise of the duties thereof according to their respective commissions or appointments unless otherwise directed by this constitution or other law.

SECTION 5. Except as otherwise provided in this constitution and subject to such changes in their duties as are prescribed therein, all persons elected to office at the election in November, nineteen hundred twenty-two, shall continue in office during the terms for which they are respectively elected.

SECTION 6. In order that elections may be held regularly in November it is hereby provided as follows:

All officers elected to office prior to the election in November, nineteen hundred twenty-three, whose terms expire before that time, shall hold office until their terms expire as now provided by law and at the expiration of their respective terms their successors shall be elected at that time to hold office during the regular terms provided by law and until their successors are elected at the next ensuing November election.

All officers elected to office prior to the election in November, nineteen hundred twenty-three, whose terms expire after that date and who are elected at other times than at the November election shall hold office for the terms for which they are elected and until their successors are elected at the next ensuing November election.

This section shall not apply to or within the county of Cook.

SECTION 7. The first apportionment for senators after the adoption of this constitution shall provide that three of the additional senators shall be elected at the first election for terms of two years and the other three additional senators for terms of four years.

SECTION 8. On the day this constitution is submitted to the people for ratification an election shall be held for two justices of the supreme court in the seventh judicial district. Every person in that judicial district who is entitled to vote for this constitution shall be entitled to vote for such justices. The election shall otherwise be conducted, returns made and certificates of election issued in accordance with existing laws. If it appears upon the canvassing of the votes for and against this constitution that this constitution is not adopted, then no certificates of election shall be issued for such justices. If they are elected and commissioned such justices shall hold office, one until the first Mon-

day of June, nineteen hundred thirty-one and one until the first Monday of June, nineteen hundred thirty-three.

Successors to the justices now in office shall be elected in the seventh district on the first Monday of June and in the other districts on the first Tuesday after the first Monday of November in the years in which their respective terms expire. One justice for each of the first and third districts shall be elected for a term to expire on the first Tuesday after the first Monday of November, nineteen hundred thirty-three; one justice for the second district shall be elected for a term to expire on the first Tuesday after the first Monday of November, nineteen hundred thirty-five; one justice for the fourth district shall be elected for a term to expire on the first Tuesday after the first Monday of November, nineteen hundred thirty-nine; one justice for each of the fifth and sixth districts shall be elected for a term to expire on the first Tuesday after the first Monday of November, nineteen hundred thirty-seven; one justice for the seventh district shall be elected for a term to expire on the first Monday of June, nineteen hundred thirty-five.

SECTION 9. The clerk of the supreme court and the clerks of the appellate courts in office at the time of the adoption of this constitution shall continue to hold office during the terms for which they are respectively elected.

SECTION 10. The judges of the circuit and superior courts of Cook county now serving as judges of the appellate court of the first district and its branches shall become judges of the appellate court of the first district under this constitution to hold office until January first, nineteen hundred twenty-nine. The judges of the appellate court of the second district, the appellate court of the third district and the appellate court of the fourth district under this constitution shall be appointed by the supreme court as soon as may be after the adoption of this constitution to hold office until January first, nineteen hundred twenty-eight.

SECTION 11. Until otherwise provided by law judges of the appellate court of the first district shall each receive the same salary as is paid a judge of the circuit court of Cook county and judges of the appellate courts of the second, third and fourth districts shall each receive a salary of eight thousand five hundred dollars per annum. Such salaries shall be payable in the same manner, at the same time and from the same sources as the salaries of judges of the circuit courts within such districts respectively.

SECTION 12. On May seventh, nineteen hundred twenty-three, the circuit, superior, criminal, county and probate courts of Cook county, the municipal court of Chicago and the city court of Chicago Heights shall be consolidated into one court to be known as the circuit court of Cook county and thereupon all such courts except that last mentioned shall be abolished. The offices of judge and clerk of the city court of Chicago Heights shall thereupon be abolished.

SECTION 13. The judges of the circuit, superior, county and probate courts of Cook county and the chief justice of the municipal court of Chicago in office on May seventh, nineteen hundred twenty-three (except the judges of the circuit and superior courts of Cook county

made judges of the appellate court of the first district by the adoption of this constitution whose offices as judges of the circuit and superior courts of Cook county thereby cease to exist) shall be judges of the circuit court of Cook county as thus consolidated and shall continue to hold office during the terms for which they are respectively elected or appointed and until their successors are elected and qualified. The associate judges of the municipal court of Chicago in office on May seventh, nineteen hundred twenty-three, shall be associate judges of the circuit court of Cook county as thus consolidated and shall continue to hold office during the terms for which they are respectively elected or appointed and until the first Monday of June next following, respectively, when their respective offices as associate judges of that court shall be abolished. There shall be elected to the office of judge of the circuit court of Cook county for terms of six years, except as hereinafter otherwise specifically provided, on the first Monday of June of the years following: In nineteen hundred twenty-three, nine judges as successors to the judges whose terms expire in that year; in nineteen hundred twenty-five, one judge as successor to the judge whose term expires in nineteen hundred twenty-four and one judge as successor to the judge whose term expires in nineteen hundred twenty-five, together with eight additional judges; in nineteen hundred twenty-seven, two judges as successors to the judges whose terms expire in the year nineteen hundred twenty-six, and seventeen judges as successors to the judges whose terms expire in the year nineteen hundred twenty-seven; in nineteen hundred twenty-seven, eight additional judges for terms of four years; and in nineteen hundred twenty-nine, four judges as successors to the judges whose terms expire in the year nineteen hundred twenty-eight, nine judges as successors to the judges whose terms expire in the year nineteen hundred twenty-nine, together with eight additional judges, one of whom shall hold office for the term of two years.

Section 14. Such associate judges of the circuit court of Cook county shall perform such judicial duties as may be assigned to them in the classes of cases which would have been within the jurisdiction of the criminal court of Cook county at the time of the adoption of this constitution and also in the classes of cases arising in the county of Cook which would have been within the jurisdiction of the municipal court of Chicago if they had arisen in the city of Chicago prior to the adoption of this constitution. During their respective terms of office as such associate judges they shall receive the salaries allowed them by the laws in force on May first, nineteen hundred twenty-two, one-half of which shall be payable out of the state treasury and one-half out of the treasury of the county of Cook.

Section 15. The judges of the circuit courts in each circuit (other than the county of Cook) in office at the time of the adoption of this constitution shall continue to hold office during the terms for which they are elected or appointed and until their successors are elected and qualified.

Section 16. The judge of the county court of Cook county in office at the time of the adoption of this constitution shall continue to exercise during his term of office or until otherwise provided by law the same control and supervision over all matters of election as now

provided by law. The general assembly prior to July first, nineteen hundred twenty-five, shall provide that all such authority and supervision shall devolve upon some elective county officer or officers.

SECTION 17. On December third, nineteen hundred twenty-three, the county and probate courts in each county (other than the county of Cook) where both exist shall be consolidated into one court to be known as the county court.

SECTION 18. The judges of the county and probate courts (in counties other than the county of Cook) in office on December third, nineteen hundred twenty-three, shall be judges of the county court as thus consolidated, at which time the office of judge of the probate court or probate judge shall be abolished. They shall hold office during the terms for which they were elected and until their successors are elected and qualified. Counties having a population of less than seventy-five thousand, which have a county judge and a probate judge at the time of the adoption of this constitution, shall elect in nineteen hundred twenty-seven two county judges.

SECTION 19. Unless the general assembly prior to December third, nineteen hundred twenty-three, fixes the salaries of county judges and probate judges (other than those of the county of Cook) who are made judges of the county courts as thus consolidated, the salaries of such judges after the date last mentioned and until otherwise provided by law shall be as follows: The present salary of each judge shall be increased to two thousand five hundred dollars in counties having a population of fifteen thousand or less, to four thousand dollars in counties having a population of more than fifteen thousand and less than forty thousand and to five thousand dollars in counties having a population of forty thousand or more. Each county shall continue to pay the present salaries until the whole of such salaries becomes payable out of the state treasury as provided in this constitution. Until that time the increase of salaries provided herein shall be payable monthly out of the state treasury. The word population as used in this section means the population as shown by the federal census of nineteen hundred twenty.

SECTION 20. The provisions of section one hundred twenty-eight of this constitution so far as they affect the judges of county and probate courts (outside the county of Cook) shall not become effective until December third, nineteen hundred twenty-three, unless the general assembly provides that increased salaries be paid prior to that date.

SECTION 21. The clerk of the circuit court of Cook county in office on May seventh, nineteen hundred twenty-three, shall be clerk of that court as consolidated by this schedule. The clerks of the superior, criminal, county and probate courts of Cook county and the clerk of the municipal court of Chicago on that date shall become associate clerks of the circuit court of Cook county to hold office for the terms for which they are respectively elected; and as near as may be they shall exercise the same powers (including those relating to the appointment and discharge of employees and to the collection and disbursement of moneys), perform the same duties and receive the same salaries as on May seventh, nineteen hundred twenty-three. If a vacancy occurs in the office of clerk of the circuit court of Cook county prior to the election

in November, nineteen hundred twenty-four, such vacancy shall be filled by a majority of the judges and associate judges of the circuit court of Cook county by appointing one of such associate clerks who shall hold office until the election in November, nineteen hundred twenty-four.

SECTION 22. The circuit court of each county is hereby continued and on the first Monday of November, nineteen hundred twenty-seven, the circuit and city courts in each county (other than the county of Cook) where both courts exist shall be consolidated into one court to be known as the circuit court and thereupon the offices of judge and clerk of all such city courts shall be abolished.

SECTION 23. The offices of justice of the peace and constable existing at the time of the adoption of this constitution shall be abolished from and after the election or appointment and qualification of justices of the peace or constables in their respective districts, towns or portions of towns in accordance with the provisions of this constitution.

SECTION 24. The clerk of the county court of each county (other than the county of Cook) in office on December third, nineteen hundred twenty-three, shall be clerk of the county court as consolidated by this schedule and the clerk of the probate court of each county (other than the county of Cook) having a probate clerk shall become the chief deputy county clerk of such county court during the term for which he is elected and at the salary received by him at the time of the adoption of this constitution; and as near as may be he shall exercise the same powers (including those relating to the appointment and discharge of employees and to the collection and disbursement of moneys) and perform the same duties as on December third, nineteen hundred twenty-three. At the expiration of the terms of office of the probate clerks in office on December third, nineteen hundred twenty-three, the office of probate clerk shall be abolished.

SECTION 25. The bailiff of the municipal court of Chicago in office on May seventh, nineteen hundred twenty-three, shall become associate sheriff of the county of Cook and hold office during the term for which he is elected. After the date last mentioned and during his term he shall receive the same salary and have as near as may be the same powers, duties and responsibilities as before that date, including the selection, appointment and removal of his employees and the collection and disbursement of moneys.

SECTION 26. Each court into which by the provisions of this constitution other courts are consolidated shall immediately upon such consolidation succeed to and assume jurisdiction of all causes, matters and proceedings then pending in all courts of which it is the successor, with full power and authority to dispose of them and to carry into execution or otherwise to give effect to all orders, judgments and decrees theretofore entered by the respective courts thus consolidated.

SECTION 27. From and after May seventh, nineteen hundred twenty-three, and until otherwise provided by law, all matters of fees and costs connected with proceedings in the circuit court of Cook county shall be regulated by rules to be adopted by the supreme court.

SECTION 28. All judicial circuits established by law at the adoption of this constitution shall be preserved until changed by law.

SECTION 29. This constitution shall be submitted to the people of the State of Illinois for adoption or rejection at an election to be held on Tuesday December twelfth, nineteen hundred twenty-two. The county clerks of the respective counties of this state shall give notice between the first and tenth days of November, nineteen hundred twenty-two, in the manner required by law for notices of general elections that at such election this constitution will be submitted to the electors of this state for adoption or rejection.

SECTION 30. Every person entitled to vote under the provisions of existing laws shall be entitled to vote for the adoption or rejection of this constitution and such persons shall vote by ballot. Such election shall be conducted and the returns thereof made according to the laws now in force regulating general elections.

SECTION 31. The officers now required by law in the case of general elections to provide election supplies for each precinct or district shall provide in the manner now required by law for conducting general elections all necessary poll books, tally sheets, forms of return, ballots and supplies for such election.

SECTION 32. The ballots to be used at such election shall be substantially in the following form:

PROPOSED NEW CONSTITUTION ELECTION BALLOT.

SHALL THE PROPOSED NEW	YES	
CONSTITUTION BE ADOPTED	NO	

SECTION 33. The elector shall designate his vote by a cross mark thus, X, to be placed in one of the squares on the right-hand margin of the ballot.

SECTION 34. The ballots cast for and against the adoption of this constitution shall be received and canvassed by the judges and clerks of such election and returned as provided by law for general elections.

SECTION 35. Within fifteen days after such election, returns thereof shall be made by the several county clerks to the secretary of state which shall show (a) the aggregate number of electors voting in each county, (b) the aggregate number of votes cast for the adoption of this constitution and (c) the aggregate number of votes cast against the adoption of this constitution. Such returns shall within ten days thereafter be examined and canvassed by the secretary of state, the attorney general, the state treasurer and the auditor of public accounts or any three of them in the presence of the governor and proclamation shall be made by the governor forthwith of the result of the canvass. If it appears that a majority of the votes cast are for the adoption of the new constitution it shall be the supreme law of the State of Illinois on and after twelve o'clock noon of Monday, January fifteenth, nineteen hundred twenty-three, and the existing constitution shall thereupon cease in all its provisions.

Done in convention at the capitol in the city of Springfield on the twelfth day of September in the year of our Lord one thousand nine

hundred twenty-two, of the Independence of the United States of America the one hundred forty-seventh and of the statehood of Illinois the one hundred fourth.

In witness whereof we have hereunto subscribed our names.

B. H. McCann,
Secretary.

Charles E. Wooward,
President.

Edward E. Adams
Stanley Adamkiewicz
Percival G. Baldwin
George A. Barr
William H. Beckman
Rodney H. Brandon
John J. Brenholt, Jr.
Edward H. Brewster
Charles D. Cary
Oscar E. Carlstrom
B. L. Catron
William H. Chew
Elam L. Clarke
E. B. Coolley
Edward Corlett
William H. Cruden
Abel Davis
Rufus C. Dawes
Frederic R. DeYoung
Cyrus E. Dietz
John L. Dryer
Henry M. Dunlap
George A. Dupuy
Philip E. Elting
Joseph W. Fifer
Thomas F. Frole
Edgar E. Fyke
George C. Gale
William Ganschow
Bruce H. Garrett
Sylvester J. Gee
G. Gale Gilbert
A. F. Goodyear
William S. Gray
Henry I. Green
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Morton D. Hull
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David E. Mack
Willard M. McEwen
Sylvester W. McGuire
Charles J. Michal
Amos C. Miller
Andrew H. Mills
Charles B. T. Moore
James Nichols
Martin J. O'Brien
James H. Paddock
Charles V. Parker
S. E. Pincus
B. H. Pinnell
Frank J. Quinn
Thomas Rinaker
Michael Rosenberg
William M. Scanlan
David E. Shanahan
Charles A. Shuey
Rollo Six
Arthur M. Smith
Douglas Sutherland
Albert E. Taff
Hiram E. Todd
H. E. Torrance
William E. Trautmann
William A. Wall
Alvin Warren
Frank S. Whitman
Walter H. Wilson
Oscar Wolff
Charles Woodward
Henry W. Meinert
Alexander H. Revell
Harry H. Stahl

The President further reported the following correspondence with the Secretary of State, with reference to depositing the Revised Constitution in his office as above set forth, to-wit:

The Honorable, the Secretary of State.

DEAR SIR: The Constitutional Convention of Illinois, on September twelfth, one thousand nine hundred twenty-two, adopted the following resolution:

"*Resolved*, That the enrolled Constitution of Illinois, adopted in Convention at the Capitol in the City of Springfield on the 12th day of September, A. D. 1922, be authenticated as follows:

(1) That it first be signed by the President of the Convention;

(2) That it then be attested by the signature of the Secretary;

(3) That the delegates present in alphabetical order of names may then attach their signatures;

That delegates present having authority from absent delegates to sign the names of such absent delegates may do so;

The other delegates may have the privilege of signing the enrolled Constitution in the office of the Secretary of State at any time on or before the 12th day of December, A. D. 1922, their respective signatures to be attested by the Secretary of State; and

That upon authentication as aforesaid, the President of the Convention deliver it to the Secretary of State for record and deposit in his office."

Pursuant to the mandate of the above resolution I place in your hands the enrolled Constitution of Illinois, adopted in Convention at the Capitol in the City of Springfield on the twelfth day of September in the year of our Lord one thousand nine hundred twenty-two, for record and deposit in your office.

Very respectfully,
CHARLES E. WOODWARD,
President.

Hall of the House of Representatives,
this tenth day of October in the year of our
Lord one thousand nine hundred twenty-
two.

The Honorable, the President of the Constitutional Convention.

DEAR SIR: I have this day received at your hands the enrolled Constitution of Illinois, adopted in Convention at the Capitol in the City of Springfield on the twelfth day of September in the year of our Lord one thousand nine hundred twenty-two, and have caused it to be recorded and placed in the archives of my office.

Very respectfully,
LOUIS L. EMMERSON,
Secretary of State.

Office of the Secretary of State at the
Capitol in the City of Springfield this
tenth day of October, one thousand nine
hundred twenty-two.

The President laid before the Convention a further report of the expenses of the Convention, as follows:

FINANCIAL REPORT OF THE PRESIDENT.

The President submits herewith a supplemental report, covering the vouchers signed by him under the provisions of an Act entitled, "An Act to assemble a Convention to revise, alter or amend the Constitution of the State of Illinois," approved June 21, 1919, in force July 1, 1919; and of an Act entitled, "An Act to appropriate the unexpended balance

of the appropriation made by an Act entitled, 'An Act to assemble a Convention to revise, alter or amend the Constitution of the State of Illinois,' approved June 21, 1919, in force July 1, 1919," approved June 24, 1921, in force July 1, 1921.

This report includes all vouchers issued from and after September 12th, A. D. 1922, and the recapitulation includes the expenditures as reported in detail in the report filed September 12th, A. D. 1922, in addition to the expenditures reported in detail in the above supplemental report.

Date.	To whom payable.	Voucher number.	Total.	Secretary of convention.	Official reporter.	Employees under resolution.	Committee expense.	Incidental expenses printing journals.	Rent of typewriters.	General expense.	Postage.	Telegraph and telephone.	Committee on Submission and Address.	Paper stock.
1922														
Sept. 12	George Gray, numbering machine	522	$ 3.00					$ 3.00						
Sept. 12	Illinois State Journal, printing debates	523	64.15					64.15						
Sept. 12	Illinois Bell Telephone Co., long distance tolls	524	5.50									$ 5.50		
Sept. 12	Illinois Bell Telephone Co., long distance tolls	525	11.30									11.30		
Sept. 12	Illinois Litho-Label Co., letterheads and envelopes	526	230.36					230.36						
Sept. 12	Pay roll, to Sept. 12 (partial)	526a	504.06			$ 504.06								
Sept. 12	Mayme Flynn, expenses Springfield and return	527	9.75			9.75								
Sept. 12	Harry Watson, engrossing resolution	528	6.00							$ 6.00				
Sept. 12	Springfield Clean Towel Service, towels	529	10.00							10.00				
Sept. 12	United Telephone Co., long distance tolls	530	5.80									5.80		
Sept. 12	Wm. L. Corris, services week Sept. 12	531	350.00		$350.00									
Sept. 18	Wm. L. Conkling, P. M., postage	532	500.00								$500.00			
Sept. 27	Underwood Typewriter Co., rental of typewriters	533	17.50						$17.50					
Sept. 27	Ernst Hertzberg & Sons, binding original Constitution	534	125.00					125.00						
Sept. 27	Halbert O. Crews, services and other expenditures	535	2,000.00										$2,000.00	
Sept. 30	Pay roll, month of September	536	2,805.00	$450.00		2,355.00								
Sept. 27	Bradner-Smith & Co., 1 car paper	537	2,998.26											$2,998.26
Sept. 28	H. L. Williamson, expenses	538	305.67					305.67						
Sept. 27	Phillips Bros., printing letterheads, etc	539	23.25										23.25	
Sept. 27	Burr-Vaek Co., paper clips and rubber bands	540	3.48							3.48				
Sept. 28	Olin L. Browder, P. M., postage	541	200.00								200.00			
Sept. 27	Illinois State Register, printing envelopes	542	12.05											12.05
Sept. 28	Progressive Electro Co., multigraph signature plate	543	2.85										2.85	
Sept. 28	Schnepp & Barnes, printing	544	111.65					111.65						
Sept. 28	Carlson Bros., press board guides	545	8.69										8.69	
Sept. 28	Illinois State Journal, multigraphing, etc.	546	43.00										43.00	
Sept. 28	Arley Munts, traveling expenses	547	65.49				65.49							
Oct. 5	Capital City Paper Co., paper stock	548	1.51					1.51						
Oct. 5	Illinois State Register, printing	549	117.80										117.80	

Oct. 5	Jefferson Printing Co., binding journals	550	20.70					20.70							
Oct. 5	Illinois State Reformatory, 100 pads ruled paper	551	12.31										12.31		
Oct. 5	Illinois State Journal, printing	552	964.53					964.53							
Oct. 5	Phillips Bros., printing letterheads, etc	553	115.75					115.75							
Oct. 5	Star Newspaper Co., printing envelopes	554	86.45										86.45		
Oct. 5	American Multigraph Co., 2 signature plates	555	9.20										9.20		
Oct. 5	Bailey & Himes, office supplies, etc	556	499.10										499.10		
Oct. 5	Rose-Weis Printing Co., printing envelopes	557	62.05										62.05		
Oct. 5	Capital City Printing Co., printing envelopes	558	37.05										37.05		
Oct. 9	Springfield Printing Corporation, printing envelopes	559	37.05										37.05		
Oct. 9	Illinois State Journal, printing debates, etc.	560	5,002.23					5,002.23							
Oct. 9	Jefferson Printing Co., binding reports, Committee of the Whole	561	17.00					17.00							
Oct. 9	Schnepp & Barnes, printing, etc	562	1,591.37										1,591.37		
Oct. 9	Illinois State Journal, multigraphing, etc.	563	185.80										185.80		
Oct. 9	Jefferson Printing Co., binding original debates	564	64.85					64.85							
Oct. 9	Bradner-Smith & Co., paper stock	565	62.02										62.02		
Oct. 9	Phillips Bros., express charges	566	7.95										7.95		
Oct. 9	Whitaker Paper Co., 500,000 envelopes	567	1,210.30										1,210.30		
Oct. 9	Illinois Printing Co., printing 160,000 Constitutions	568	2,322.94										2,322.94		
Oct. 9	Cancelled	569													
Oct. 9	Illinois State Journal, printing and binding 800 journals Committee of the Whole	570	1,500.00					1,500.00							
Oct. 9	Illinois State Journal, printing and binding 800 journals	571	2,000.00					2,000.00							
Oct. 9	Illinois State Journal, printing 3,000 volume 5 of debates	572	2,800.00					2,800.00							
Oct. 9	Illinois State Journal, printing 400 journals Oct. 10	573	25.00					25.00							
Oct. 9	M. & L. Typesetting Co., printing Constitution	574	2,454.49					2,454.49							
Oct. 9	W. M. Welch Mfg. Co., parchment for Constitution	575	151.50					151.50							
Oct. 9	Cancelled	576													
Oct. 9	Jefferson Printing Co., binding 3,000 vol. 2 debates	577	1,397.90					1,397.90							
Oct. 9	Jefferson Printing Co., binding 800 journals	578	400.00					400.00							
Oct. 9	Jefferson Printing Co., binding 3,000 vol. 1 debates	579	1,397.90					1,397.90							
Oct. 9	Pay roll, to Oct. 10, 1922	580	611.26			611.26									
Oct. 9	Illinois Bell Telephone Co., long distance tolls	581	25.25										25.25		
Oct. 9	United Telephone Co., long distance tolls	582	14.90										14.90		

FINANCIAL REPORT OF THE PRESIDENT—Concluded.

Date.	To whom payable.	Voucher number.	Total.	Secretary of convention.	Official reporter.	Employees under resolution.	Committee expense.	Incidental expenses printing journals.	Rent of typewriters.	General expense.	Postage.	Telegraph and telephone.	Committee on Submission and Address.	Paper stock.
1922														
Oct. 9	Western Union Telegraph Co., telegrams	583	$ 2.03									$2.03		
Oct. 9	Elam L. Clarke, expenses, Committee Praseology and Style	584	75.66				$ 75.66							
Oct. 9	Urban A. Lavery, expenses, Committee Praseology and Style	585	61.75				61.75							
Oct. 9	Bradner-Smith & Co., paper stock	586	3,137.03											$3,137.03
Oct. 9	Ernst Hertzberg & Sons, binding Adress to People	587	40.00					$ 40.00						
Oct. 9	Whitaker Paper Co., paper stock (est)	588	4,000.00											4,000.00
Oct. 9	American Express Co., sundry express charges	589	18.95										$ 18.95	
Oct. 9	M. & L. Typesetting Co., printing Constitution and Address	590	733.10					733.10						
Oct. 9	Western States Engraving Co., envelopes	591	81.03										81.03	
Oct. 9	Seaman Paper Co., paper stock	592	3,343.89											3,343.89
Oct. 9	Hillier's Fireproof Storage Co., drayage	593	49.21										49.21	
Oct. 9	Ernst Hertzberg & Sons, binding 130,000 Constitutions	594	1,820.00					1,820.00						
Oct. 9	Harry Watson, engrossing 2 resolutions	595	12.00							$ 12.00				
Oct. 9	Walter H. Wilson, expenses Committee Expenses and Supplies	596	1,246.60				1,246.60							
Oct. 9	Arley Munts, traveling expenses	597	26.00							26.00				
Oct. 9	Joseph G. Dingle, service and expenses	598	269.34							269.34				
Oct. 9	Wm. H. Conkling, P. M., postage	599	50.00								$50.00			
Oct. 9	Jefferson Printing Co., binding reports Committee of the Whole	600	23.00					23.00						
Oct. 9	Halbert O. Crews, publishing Constitution	601	35,230.87										35,230.87	
Oct. 9	B. H. McCann, Secretary, services	602	300.00	$300.00										
Oct. 9	B. H. McCann, Secretary, postage, express and drayage	603	100.00							100.00				
Oct. 9	Geo. E. Kapes, services	604	150.00			$150.00								
Oct. 9	Schnepp & Barnes, printing and binding	605	2,550.00										2,550.00	
Oct. 9	H. L. Williamson, expenses	606	77.02					77.02						
Oct. 9	Illinois Printing Co., printing one million Constitutions	607	10,000.00										10,000.00	
Oct. 9	E. T. Curless, services	608	71.13			71.13								

Oct. 9	Illinois State Register, express charges	609	1.50										1.50	
Oct. 9	Department Public Works & Buildings, multigraphing	610	50.15										50.15	
Oct. 9	Cancelled	611												
Oct. 9	Johnston-Hatcher Co., repair chairs	612	10.00							10.00				
	Totals		$99,158.23	$750.00	$350.00	$3,701.20	$1,449.50	$21,846.31	$17.50	$436.82	$750.00	$64.78	$56,312.94	$13,479.18

RECAPITULATION.

Appropriation		$500,000.00
Disbursements—		
Pay, mileage and allowance of delegates	$224,672.90	
Salary, Secretary of Convention	12,165.00	
Salary, official reporter	17,650.00	
Employees under resolution	106,250.54	
Committee expenses	4,926.24	
Incidental expenses, printing, journals, etc	44,968.16	
Rent of typewriters	608.50	
General expenses	2,379.07	
Postage	1,795.00	
Telephone and telegraph charges	396.90	
Hand books	757.00	
Paper stock	27,130.28	
Expenses—Committee on Submission and Address	56,312.94	
Total disbursements, per vouchers	$500,012.53	
Deduct: Correction to bring total of disbursements to agree with record of auditor of public accounts	12.53	
Net total of disbursements		$500,000.00

Respectfully submitted,
CHARLES E. WOODWARD,
President.

In the Hall of the House of Representatives, this tenth day of October, A. D. 1922.

At the hour of 10:30 o'clock a. m., Mr. Stahl moved that the Convention do now adjourn.

The motion prevailed, and in accordance with the motion heretofore adopted on October 10, 1922, the Convention stood adjourned *sine die.*

The committee heretofore appointed by resolution to approve the Journals of the last three days of the Convention, hereby certifies that they have examined the record of the proceedings of June 28, September 12, and October 10, 1922, and find the same correct.

(Signed) ARTHUR M. SMITH,
ANDREW H. MILLS,
THOS. RINAKER,
Committee.

Approved:

B. H. MCCANN,
Secretary of the Convention.

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7	To create the Executive Department	28	33	192					194	
8	Touching the Judicial Department	28								33
9	To define the right of suffrage	28	33	134					143	
10	To retain Article VIII present Constitution on "Education," with certain amendments	29	33	149					151	
11	To retain in the new constitution certain sections of the Revenue Article in the present constitution	29	33	235					235	
12	To retain in the new constitution certain sections of the Article on Counties in the present constitution	29	33	173					179	
13	To retain in the new constitution certain sections of the Article on Corporations in the present constitution	29	33	177					177	
14	To retain in the new constitution the Article on Militia in the present constitution	29	33	117					119	
15	To ratain in the new constitution the Article on Warehouses in the present constitution	29	33,179							159,174,179
16	Touching methods of amendment	29								33
17	Touching separate sections	29								33
18	To retain in the new constitution certain sections of the present constitution relative to schedule	29	33							
19	Relative to the Preamble and sections to the Constitution of 1870	29								34
20	To amend Section 1 of Article VII of the Constitution	29	34	134					143	
21	For Home Rule for Cities	29	34	259					259	

RECORD OF PROPOSALS—Continued.

Number.	Title of proposal.	Introduced and advanced for reference.	First reading and referred to committee.	Reported from committee.	Taken from table and placed on general orders.	Taken up in Committee of Whole.	Reported back to convention and referred to Committee on Phraseology and Style.	Reported back from Committee on Phraseology and Style and placed on second reading.	Rejected.	Other proceedings.
22	In aid of Home Rule for Cities	29	34	259					259	
23	To declare certain acts by public officers sedition	29	34, 179							159, 174, 179
24	To amend Article VIII of the Constitution in relation to Education	29	34	149					151	
25	To amend Sections 6, 7 and 8 of Article IV of the Constitution in relation to apportionment and the number of Senators and Representatives in the General Assembly	29	34	216	216	220			220	
26	To amend Article IX, being the Article of the Judicial Department	30	34							
27	To provide free schools	31	37	149					151	
28	To extend suffrage to citizens in the Military service	31	37	134					143	
29	For a proposed judiciary system	31	37	235					235	
30	To prevent discrimination and extortion in rates charged by public utility corporations	31	37	177					177	
31	To amend Section 18 of Article II, Bill of Rights affecting elections	31	37	222					223	
32	For guaranteeing freedom of worship	32	37	222					223	
33	Requiring the Governor or Lieutenant Governor to be an American born citizen	32	37	192					194	
34	To extend suffrage to women and prevent all persons non compos mentis from voting	32	37	134					143	
35	For teaching english to adult foreigners in public schools and for conducting public schools in the English language only and incorporating private institutions of learning in State Educational Systems	32	37	149					149	
36	To invest the probate court with chancery jurisdiction to administer testamentary trust and to petition real estate while administering estates	32	37							
37	To secure representation in the General Assembly for every county in the State of Illinois	32	37	216	216	220			220	
38	To amend Article IX in relation to the Judicial Department and the Appellate Court	32	37							
39	To amend Article IX in relation to the Judiciary Department providing that Courts shall always be open	32	38							

40	To amend Article IX in relation to the Supreme and Appellate Courts entering final judgment	32	38						
41	To provide that Sheriffs and County Treasurers shall be eligible to succeed themselves in office	35	44	173		45		179	
42	To provide that the State Treasurer shall be elected at the same time as the Governor for a term of four years and be eligible to succeed himself in office	36	44	192				194	
43	To provide for the exemption from taxation of a certain amount of the personal property owned by householders and heads of families	36	44	235				235	
44	To provide for the levy and collection of income taxes	36	44	235				235	
45	To provide that Sheriffs and County Treasurers shall be be eligible to succeed themselves in office	36	45	173				179	
46	To retain in the new constitution the separate section of the present constitution entitled "convict labor"	36	45	290				290	
47	To retain in the new constitution the separate section of the present constitution entitled "canal"	36	45	138				151	
48	To retain in the new constitution the separate section entitled "municipal subscription to railroads or private corporations" in the present constitution	36	45						
49	To retain in the new constitution separate section of the present constitution entitled "Illinois Central Railroad"	36	45	177				177	
50	To define judicial power and to prohibit the exercise of judicial power by any agency except the Judicial Department of the State Government	36	45						139
51	To provide for the filling of vacancies in the elective offices created by Article VI of the existing Constitution relating to the Judicial Department of the State Government	36	45						
52	To provide that Sheriffs and County Treasurers shall be eligible to succeed themselves in office	36	45	173				179	
53	To establish equal suffrage and to provide for optional jury service for women	36	45	134				143	
54	To provide a system of taxation for the State of Illinois	36	45	235				235	
55	To provide for a system of local Government for the City of Chicago	42	47	259		50		259	
56	To establish a Judicial System for the State of Illinois	42	47	235		69, 76		235	
57	To prohibit cumulative voting for any public office	42	48	216	216	220		220	
58	To fix the electorate to which revision, alteration and amendments adopted by this Convention shall be submitted for ratification or rejection	42	48						
59	To provide for the election of Boards or County Commissioners	43	48	173				179	
60	To provide for the abolition of Township Organization	43	48	173				179	
61	To provide for a thorough and efficient system of public libraries in this State	43	48	149				149	
62	To authorize the levy of taxes by counties for public library purposes and to provide for the exemption of persons and property in certain municipalities from county library taxes levied by the counties in which such municipalities are located	43	48	235				235	

RECORD OF PROPOSALS—Continued.

Number.	Title of proposal.	Introduced and advanced for reference.	First reading and referred to committee.	Reported from committee.	Taken from table and placed on general orders.	Taken up in Committee of Whole.	Reported back to convention and referred to Committee on Phraseology and Style.	Reported back from Committee on Phraseology and Style and placed on second reading.	Rejected.	Other proceedings.
63	To provide for the classification of property for the purposes of taxation; to provide for exemptions from taxation and the limitation of tax rates	43	48	235					235	
64	To provide that Sheriffs and County Treasurers may be eligible to succeed themselves in office	43	48	173					179	
65	To provide that the personal compensation of no county officer shall be dependent upon the amount of the fees collected by his office	43	48	173					179	
66	To retain Section 1 of Article IX of the present constitution with certain words omitted therefrom and certain words added thereto	43	48	235					235	
67	To amend Section 17 of Article VI, in relation to the qualification of Judges of inferior courts	43	48							
68	To amend Article VI of the Judiciary department in relation to Supreme Courts	43	49							
69	To provide for certain exemptions from taxation	43	49	235					235	
70	To authorize the General Assembly to regulate the Grand Jury system	43	49	222					223	
71	To provide a system of taxation for the State of Illinois	43	49	235					235	
72	Relative to the assessment of taxes upon real estate	44	49	235					235	
73	Defining intoxicating liquors and beverages	44	49	161					165	
74	Granting power and authority to municipalities to license and regulate boxing contests	44	49	161					175	
75	Prohibiting professional wrestling exhibitions	44	49	161					175	
76	Exempting from taxation certain personal property	44	49	235					235	
77	For the manufacture, sale and distribution of beers	44	49	161					175	
78	To provide that the local authorities of cities and villages shall have full power to prescribe the conditions upon which the streets, alleys and highways under their jurisdiction shall be used for street railway purposes	44	49							
79	To provide a remedy for the encroachment upon the rights and privileges of the people of this State	44	50	222					223	
80	To abolish cumulative voting for members of the Legislature	44	50	216	216	220			220	

81	To provide for a system of registering land titles by the State of Illinois or counties thereof	47	53,215	207	214	214				214
82	To amend Section 12 of Article IX in relation to indebtedness	47	53	235					235	
83	To provide for State supervision of county fiscal affairs	47	53	173					179	
84	To provide for the non-sectarian reading of the bible in the public schools	47	53							122
85	To amend Article IX of the Constitution of 1870	47	53	235					235	
86	To authorize verdicts in civil cases by less than a unanimous jury	47	53	222					223	
87	To provide for the apportionment of the State for representation in the General Assembly	52	55	216	216	220			220	
88	To extend by constitution suffrage to absent voters	52	55	134					143	
89	To extend the powers of the General Assembly relating to the Judicial Department of the State Government	52	56							
90	To provide for future constitutional Conventions and amendments to the Constitution	52	56							
91	To amend Article VI, being the Judicial Department	52	56	235					235	
92	For the taxation of real property in the State of Illinois	52	56	235					235	
93	Relating to future amendments of the Constitution	52	56							
94	To give to cities and other municipal corporations the power to contract	52	56							
95	To provide that the County Board shall determine the number and compensation of the deputies and assistants of county officers in Cook county	52	56	173					179	
96	To retain for cities, towns and incorporated villages the right to permit the constructing, operating and regulating of public utilities	53	56							
97	To preserve and secure the right of trial by jury in all law cases and in cases where a person is being tried for the violation of an injunction	53	56	222					223	
98	In relation to athletic exhibitions	53	56	162					175	
99	To provide for the exemption from taxation of property heretofore or hereafter donated for school purposes	53	56	149					149	
100	To abolish appellate courts	53	57							
101	To provide for the exemption of certain property from taxation	53	57	235					235	
102	To provide for a Supreme Court	53	57							
103	Exempting certain real estate from taxes	55	60	235					235	
104	To authorize holding circuit court outside of county seats in cities of 5,000 inhabitants and over	55	60							
105	To provide for the election of Judges of the Appellate Court	55	60							
106	To provide that the right of free speech shall not authorize the use of language tending to overthrow the Government	55	60	222					223	
107	To provide for compensation for employees injured in the course of employment	55	61	290					290	
108	To incorporate in the Bill of Rights a provision guaranteeing a remedy to citizens for damages resulting from the acts of administering officers	55	61	222					223	
109	To provide for a tax upon the income of bachelors	60	63	235					235	

RECORD OF PROPOSALS—Continued.

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110	To require monthly settlements by persons charged with the duty of collecting county and local taxes	60	63	235					235	
111	To provide for the consolidation of local governments having jurisdiction wholly or partly within the City of Chicago	60	63	259					259	
112	To establish the militia of the State of Illinois	60	63	117					119	
113	To prevent taxation without representation	60	63	235					235	
114	To provide for the exemption of bonds, obligations and other evidences of indebtedness of the State and Governmental subdivisions thereof from taxation	65	68	235					235	
115	To amend and adopt Sections 18, 19 and 20 of Article VI of the Constitution of 1870 in relation to county and probate courts	65	68							
116	For additional judges of County Courts with Justice of Peace and other jurisdiction in county seat or such other places as Court may select always in session	65	68							
117	To establish a probate court in each county having a population of 20,000 inhabitants	65	68							
118	To provide for excess condemnation	65	68	222					223	
119	To provide for excess condemnation	65	68	222					223	
120	Relating to eminent domain	65	68	222					223	
121	To revise Article II, Section 13, in relation to eminent domain	65	68	222					223	
122	In aid of zoning	65	68							
123	To amend Article VI, being the Judicial Department, relative to rehearing in the Appellate Court	65	68							
124	To amend Sections 18 and 19 of Article VI, regarding County Courts	66	68							
125	To providing for the election of a County Judge, Sheriff, Treasurer and a Clerk of the Circuit Court, and fixing their term of office	66	69	173					179	
126	To provide for the appointment of county clerks and coroners by the Board of County Commissioners	66	69	173					179	

127	To provide that the compensation of Clerks of Courts of Record, County Clerks, Treasurer, Sheriff, Coroner and Recorder, shall be fixed by the Board of County Commissioners	66	69	173					179	
128	To describe Senatorial Districts	66	69	216	216	220			220	
129	To guarantee political freedom to the citizens	66	69	230	231	280			280	
130	To amend Section 5, of Article VIII of the Constitution of 1870, relating to County Superintendent of Schools	67	70	149					149	
131	To retain in the proposed constitution certain sections of the present constitution relating to the common school system	67	70	149					149	
132	To establish a judicial system for the State of Illinois	67	70	235					235	
133	For the initiative and referendum	67	71	185		74			185	
134	To provide for the separate submission to the electors of provisions for the initiative and referendum	67	71			74				
135	To omit mention of Justices of the Peace, Police Magistrate and Constable as officers in this Constitution	67	71							
136	To add to the Bill of Rights and additional section	67	71	230	231	233				233
137	In relation to the Illinois Central Railroad	67	71	177					177	
138	To provide for the appointment of Circuit Judges by the Governor, upon the recommendation of the lawyers of the District	67	71							
139	To establish a department of professional education	68	71	149					149	
140	To establish a department of trades and registration	68	71	290					290	
141	To apportion the State into Senatorial and Representative district	73	75	216	216	220			220	
142	To prescribe the manner of consideration by the General Assembly of amendments to the Constitution of the United States	73	75	244					244	
143	To amend Section 22 of Article IV of the Constitution by inserting in lieu of the last sentence thereof the following	73	75	216	216	220			220	
144	To provide for a judicial department	73	75	235					235	
145	To substitute new sections for Sections 10 and 12 of Article X, of the present constitution entitled "counties"	73	75	173					179	
146	To amend Article VI of the Constitution with reference to the taking of testimony in equity cases	73	75							
147	To amend Article VI in relation to the power of the Supreme Court to declare a law unconstitutional	73	75							
148	To prevent monopolies	75	78	162					175	
149	To omit from the proposed constitution Section 24 of the Schedule of the Constitution of 1870	77	83							
150	To amend Article X of the Constitution with reference to counties	77	83	173					179	
151	To amend Article VI of the Judicial Department with reference to the Circuit Court	77	84							
152	To amend Article VI of the Constitution with reference to county courts	77	84							
153	For Home Rule for municipal corporations	77	84							
154	To exempt from taxation all funds, monies and property used exclusively for benevolent and charitable purposes	77	84	235					235	

RECORD OF PROPOSALS—Continued.

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155	Relating to banking activities	77	84	177					177	
156	Relating to State Banks	77	84	177					177	
157	Reative to the charter of benevolent and fraternal organizations including those heretofore organized and those to be organized in the future	77	84	163					179	129
158	To provide for a system of county Government	77	84	173					179	
159	In relation to Home Rule and consolidation for the City of Chicago and the County of Cook	79	90	259					259	
160	To amend Section 9 of Article IX of the Constitution of 1870 with reference to the assessment and collection of taxes municipal corporations for corporate purposes	79	90	235					235	
161	To amend Section 10 of Article IX of the Constitution of 1870	79	90	235					235	
162	To fix the taxing districts for road purposes	79	90	173					179	
163	To amend Section 13 of Article IV of the Constitution of 1870	79	90	216	216	220			220	
164	To compel citizens to exercise their right of franchise	79	90	134					143	
165	To repeal the fourth amendment adopted November 2, 1886, of the Constitution of 1870	79	90	290					290	
166	To repeal Article 13 of the constitution of 1870	79	90,179							159,174,179
167	To repeal Section 15 of Article XI of the Constitution of 1870	79	91	177					177	
168	To repeal Section 13 of Article XI of the Constitution of 1870	79	91	177					177	
169	To repeal Section 12 of Article XI of the Constitution of 1870	80	91	177					177	
170	To repeal Section XI of Article XI of the Constitution of 1870	80	91	177					177	
171	To repeal Section 10 of Article XI of the Constitution of 1870	80	91	177					177	
172	To repeal Section 9 of Article XI of the Constitution of 1870	80	91	177					177	
173	To repeal Section 5 (except the first sentence thereof) of Article XI of the Constitution of 1870	80	91	177					177	
174	To repeal Section 3 of Article XI of the Constitution of 1870	80	91	177					177	
175	To repeal Section 10 of Article X of the Constitution of 1870	80	91	173					179	
176	To repeal Section 9 of Article X of the Constitution of 1870	80	91	173					179	
177	To repeal Section 8 of Article X of the Constitution of 1870	80	91	173					179	
178	To repeal Section 7 of Article X of the Constitution of 1870	80	91	259					259	
179	To repeal Section 6 of Article X of the Constitution of 1870	80	92	173					179	
180	To repeal Section 5 of Article X of the Constitution of 1870	80	92	173					179	

181	To repeal Section 13 of Article IX of the Constitution of 1870	80	92	235					235
182	To repeal Section 5 of Article VIII of the Constitution of 1870	80	92	149					149
183	To repeal Section 33 of Article IV of the Constitution of 1870	80	92	216	216	220			220
184	To repeal Section 32 of Article IV of the Constitution of 1870	80	92	216	216	220			220
185	To repeal Section 29 of Article IV of the Constitution of 1870	81	92	290					290
186	To embody in the article of the new constitution in relation to taxation the following provision imposing the duty on the owners of property to list the same for taxation and providing remedies for a failure to do so	81	92	163					176
187	To provide that the General Assembly fix the compensation of all county officers and that the county boards fix the amount of clerk hire, stationery and other expenses	81	92	173					179
188	To establish a judicial department	81	92						
189	To amend Section 6, 7, and 8, of Article IV of the Constitution relating to the apportionment and number of senators and representatives in the General Assembly	81	92	216	216	220			220
190	To provide for the time of election of all officers	81	93	134					143
191	To revise Article IX, Constitution of 1870	81	93	235					235
192	To give cities and towns power to own and operate water and light systems	81	93						
193	To limit the right of suffrage to be a part of Article VII of the constitution by appropriate sections	82	93	134					143
194	To deny the right of pardon or parole for certain crimes	82	93	192					194
195	To limit the right of holding office to be a part of Article VII of the Constitution by appropriate sections	82	93	180	184	225			225
196	To reclaim swamp and overflowed lands	82	93	216					218
197	To create an industrial court with authority to prevent strikes and adjust industrial controversies which interfere with the continuation of necessary public service or which deprive the public of a necessary commodity	82	93						
198	Respecting suffrage	82	93	134					143
199	To provide for the performance of the duties imposed by the constitution	82	93						
200	To prohibit the appropriating of any public funds for sectarian purposes	82	93	149					149
201	To exempt certain property from taxation	82	93	235					235
202	For the manufacture, distribution transportation or sale of beverage	82	94	163					176
203	To provide for the regulation of strikes, lockouts and industrial differences	82	94	290					290
204	With reference to suffrage	82	94	134					143
205	To require electors to be able to read and write the English language	82	94	134					143
206	To regulate collective bargaining	82	94	290					290
207	To add the following section to the article in regard to the Judicial Department	82	94						
208	To amend certain sections of the Bill of Rights and add sections thereto	83	94	222					223
209	To provide an article relative to initiative and referendum	83	94	185					185

RECORD OF PROPOSALS—Continued.

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210	To prevent minority from framing a new organic law	83	94							
211	To provide for public employment, control and for the classification of certain posisitons in the public service	83	94,179	196	201	214			214	160,174,179
212	To provide for fees of clerks of courts of record	83	94	173					179	
213	To prevent the pollution of the rivers and lakes of this State	83	95	207	214	214			214	
214	To create a commission of education	83	95	149					149	
215	To prescribe method of ratifying amendments to the federal constitution	83	95	244					244	
216	To protect the rights of employees and to prohibit strikes in certain cases	83	95	290					290	
217	Relative to the amendment of sections 5, 7, and 9 of Article II of the constitution	83	95	222					222	
218	To provide for appeals in bailable criminal cases	83	95							
219	To amend constitution concerning home rule for municipalities	83	95							
220	To amend and change the present article of the constitution relative to the boundaries of the State	83	95	147					151	
221	To designate the time when laws shall come into effect	85	99	216	216	220			220	
222	To establish a judicial system for the State of Illinois	85	99	235					235	
223	To separate the office of Sheriff and collector in counties not under township organization and to create the office of county collector of taxes	85	99	173					179	
224	To prohibit options in purchase and sale of commodities and dealing in stocks by margins, or in lottery	85	99	163,244	273	273			273	176
225	To amend Article II of the Bill of Rights, Section 9	85	99	222					223	
226	To amend Article II (The Bill of Rights) Section 5	85	99	222					223	
227	To revise, alter and amend Section 1, Article IX, entitled, "Revenue," the Constitution of 1870 so as to provide for the uniform taxation of all tangible property, the classification of intangible property and for taxation of income	85	99	235					235	
228	To provide that laws shall take effect 30 days after the adjournment of the General Assembly	85	99	216	216	220			220	
229	Providing a Bill of Rights	85	99	222					223	
230	Providing for the initiative and referendum	85	99	185					185	
231	In relation to the free schools	86	99	149					149	

232	To insert a separate article to be designated "labor"	86	99	290		138, 139, 144, 752, 753	753			753
233	To amend Article X, of Section 8, in relation to the election and term of office of county judge, county clerk, sheriff and treasurer and a county collector	86	100	173					179	
234	To provide for the establishment of a military system in Illinois	86	100	117					119	
235	To amend Sections 1 and 3, Article VIII of the Constitution to read as follows:	86	100	149					149	
236	For a budget system	86	100							
237	To amend Sections 6, 7 and 8 of Article IV of the Constitution of 1870	86	100	216	216	220			220	
238	To amend Sections 1 and 2, of Article VIII of the Constitution of 1870	86	100	149					149	
239	To guarantee freedom of worship	86	100	222					223	
240	To amend Section 18 of Article II, Bill of Rights	86	100	222					223	
241	To provide for the exemption from taxation of property heretofore or hereafter donated for school purposes	86	100	235					235	
242	To amend Article XIV, Section 1, of the Constitution of 1870, so that it will read as follows:	86	100							
243	For the creation of a death, disability or retirement fund for public officers and employees	86	100	216	216	220			220	
244	To provide for raising revenue	86	100	235					235	
245	Relating to corporations	86	100	177					177	
246	In aid of zoning	87	101							
247	To provide for excess condemnation	87	101	222					223	
248	To revise Article IX, Section 12, relating to the limitation of indebtedness of municipal corporations	87	101	235					235	
249	To revise Article IX, Section 12, relating to the limitation of indebtedness of municipal corporations	87	101	235					235	
250	To revise Article IX, Section 9, relating to the making of local improvements	87	101	235					235	
251	To authorize zoning legislation	87	101							
252	To authorize restrictions on property needed for public use in the future	87	101	222					223	
253	To confer authority and power to lay out a city plan and to control the use and occupancy of land embraced therein	87	101							
254	To provide for excess condemnation	87	101	222					223	
255	To require a county superintendent of schools in each county	87	101	149					149	
256	To permit the distribution of local taxing bodies of payments received from the Illinois Central Railroad	87	101	177					177	
257	To exempt personages from taxation	87	101	235					235	
258	To define education	87	102	149					149	
259	To provide for a commissioner of education for the State in place of a superintendent of public instruction	87	102	192					194	
260	To amend Section 4, of Article IX of the Constitution of 1870	87	102	235					235	
261	To amend Section — of Article IX of the Constitution of 1870	88	102	235					235	
262	Relating to suffrage	88	102	134					143	

RECORD OF PROPOSALS—Continued.

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263	To define the relationship between state powers and the powers of municipality in certain cases	88	102							
264	To provide for the improvement of the lake, rivers and streams of this State	88	102							
265	To prevent encroachment upon the lakes, rivers and streams of this state	88	102							
266	To amend Sections 3 and 5 of Article IX of the Constitution of 1870	88	102	235					235	
267	To provide for the development of water power and for the creation of districts for the purpose of affording combined outlet drainage, water power, and the reclamation of lands subject to overflow, within the State of Illinois	88	102							
268	Relating to municipal control and regulation of public utilities	88	102							
269	To provide for the issuance of State bonds for the construction and repair of a general system of hard roads and for the completion of any waterways under construction	88	102							
270	To provide for the exemption from taxation of state bonds issued under existing authorization	88	103	235					235	
271	To provide for physical education and recreation training	88	103	149					149	
272	To specify certain courts as part of the judicial department	88	103							
273	To provide for a separate election of judges of the criminal court of cook county	88	103							
274	To provide for the appointment of judges of the appellate court	88	103							
275	Relative to the superintendents of courts	89	103							
276	To vest in the General Assembly the power to provide for appeals, writs of error and methods of review of decisions	89	103							
277	To vest in the General Assembly power to make rules of pleading practice and procedure for judicial department	89	103							
278	To withdraw hearings before Masters in Chancery and place the same in the Circuit Court or a branch thereof	89	103							
279	To provide for authority of impeachment and removal of judges, officers and employees of courts	89	103							

280	Relative to the method of calling future constitutional conventions and to the method of amending the constitution	89	103					
281	To provide that words importing the masculine gender shall include the feminine gender	89	104					
282	To provide for the removal of snow and ice from sidewalks	89	104, 179	230	232	234	234	160, 174, 179
283	To amend Section 10, of Article V, of the Constitution	89	104	192			194	
284	To provide for the issuance of bonds by the State or municipalities; to encourage the building of homes and buying of land by citizens of the State	89	104, 179	235			179, 235	160, 175, 179
285	For public ownership of public utilities	89	104					
286	To provide proper publicity of this Constitution (or of amendments to the constitution) by printing and mailing the same to the post office address of each qualified voter in the State of Illinois at least 90 days before the election at which they are to be voted upon	89	104					
287	To empower the General Assembly of the State of Illinois to enact laws providing for old age pensions and social and industrial justice	90	104	164			176	
288	To prohibit persons or corporations from entering into agreement to fix or establish the purchasing price or selling price of food commodities	90	104	235			235	
289	To provide revenue by taxation	90	104	173			179	
290	To vest all powers in townships lying wholly within any city of more than 5,000 population in the City Council of such city	90	105	134			143	
291	To provide for an act to compel legal voters to exercise their right of suffrage	90	105	177			177	
292	With respect to banks	96	107	216	216	220	220	
293	To provide for the apportionment of the State for representation in the General Assembly	96	107	235			235	
294	To establish a judicial system for the State of Illinois	96	107					
295	To authorize the reclamation of swamp and overflowed lands by the State	96	107	259			259	
296	To consolidate the taxing bodies of Cook county	97	107	264	273	273	273	
297	To amend schedule of constitution of 1870	97	107					
298	To amend Article XI, Section 4	97	107	134			143	
299	To extend the right to suffrage to women	97	107	208			228	223
300	To authorize the General Assembly to enact laws relative to health	97	107					
301	That the General Assembly shall provide a fund for the construction maintaining, repairing and rebuilding and inter-county system of wagon, truck and automobile roads	97	107	235			235	
302	To exempt certain property from taxation in the State of Illinois	97	107	173			179	
303	To authorize the creation of the office of county assessor	97	108					
304	To permit the establishment of the office of public defender	97	108	216	216	220	220	
305	To define appropriation and budgetary procedure for the State							

RECORD OF PROPOSALS—Continued.

Number.	Title of proposal.	Introduced and advanced for reference.	First reading and referred to committee.	Reported from committee.	Taken from table and placed on general orders.	Taken up in Committee of Whole.	Reported back to convention and referred to Committee on Phraseology and Style.	Reported back from Committee on Phraseology and Style and placed on second reading.	Rejected.	Other proceedings.
306	For exemption of the property of the incorporated societies of exservice men	97	108	235					235	
307	To permit the use of bible selections in the public schools	97	108	222					223	
308	To omit Section 8, of Article IX of the present constitution	97	108	235					235	
309	To provide for local road and bridge administrations	97	108	173					179	
310	To provide a system of county government	97	108	173					179	
311	To retain Section 1, of Article IX of the present constitution with certain words omitted therefrom and certain words added thereto	97	108	235					235	
312	To protect the rights of minority stockholders	98	108	177					177	
313	To provide for the initiative and referendum	98	108	185					185	
314	To regulate the nomination of judicial and school candidates	98	108	180	184	225			225	
315	To amend Section 2, of Article VII relative to voting	98	108	180	184	225			225	
316	To create an executive department	98	108	192					194	
317	To establish the Appellate Court	98	109	235					235	
318	Concerning the referendum	98	109	185					185	
319	To eliminate the provisions of the present constitution requiring acts of the General Assembly authorizing or creating corporations or associations with banking powers to be submitted to a vote of the people	98	109	177					177	
320	To amend Article V of the Constitution with reference to the Executive Department	98	109	192					194	
321	Abolishing the limitation of the amount recoverable in actions arising out of injuries to persons resulting in death	98	109							
322	Limiting certain defenses in suits at law to be questions of fact to be determined solely by a jury	98	109							
323	To provide for improvement of roads, highways and bridges in whole or in part by special assessment	98	109	173, 235					179, 235	140
324	To amend Article VI, being the Judicial Department	98	109	235					235	
325	Relative to the judiciary	98	138							
326	For an article on Revenue	106	111	235					235	
327	In relation to revenue	106	111	235					235	
328	Providing for a mortgage registration tax	106	111	235					235	

329	To authorize zoning legislation	106	111						
330	To provide for the consolidation of local government having jurisdiction wholly or partly within the county of Cook	106	111	222				223	
331	To establish a county of domestic relations with exclusive and original jurisdiction in certain cases and as a branch of the Circuit Court in counties having a population of over 50,000 inhabitants	106	111						
332	To amend Section 10 of the "Bill of rights" being Article II of the Constitution of 1870	106	111	222				223	
333	To provide for legislation to fix the value of downer or homestead where husband or wife refuses to join in conveyance and to provide a remedy to relinquish such downer or homestead	106	111	180	184	225		225	
334	Exempting and excluding of an from all and any statutes pertaining to child labor and compulsory education of children engaged in theatrical or musical performances	111	113	149				149	
335	To prescribe a loyalty test for all candidates seeking nomination or election to the General Assembly or to any office of profit or trust in this State	113	115	216	216	220		220	
336	To provide for the election of Senators in counties which contain more than one senatorial district	113	115	216	216	220		220	
337	To amend Article VIII of the Constitution of 1870	117	119	149				149	
338	To amend Section 1, of Article IX Revenue	117	119	235				235	
339	To provide for the militia	117	117	117	119, 140	123, 141	190	195	123, 134
340	Relative to the election and appointment of public officers	121	123	135				143	
341	To omit certain words from the preamble of the present constitution	121	123	221				223	
342	To prohibit public officials from drawing more than one salary at the same time from public funds	123	125	180	184	225, 273		273	
343	To provide for the levy and collection of taxes	123	125	235				235	
344	Providing for the validation and collection of taxes	123	125	235				235	
345	Providing for the employment of convict labor	123	125						
346	To amend the constitution concerning home rule for municipalities	123	125						
347	To amend Article II by adding the following sections to the Bill of Rights	131	133	222				223	
348	To amend Section III of Article 2 of the Bill of Rights	131	133	222				223	
349	To amend Section 3, of Article VIII entitled, Education	132	134						
350	To provide for the apportionment of the State for representation in the General Assembly	133	136	216	216	220		220	
351	In relation to suffrage and election	135	135	135, 176	143, 177	145, 149, 151, 155 180	180	294	155
352	Relative to powers, rights and duties of legislative committees	136	138	216	216	220		220	
353	To provide the new article in the Constitution respecting cities and villages	136	138						
354	Entitled, "Canals and Waterways"	139	139	139	151, 229	152, 156, 158, 166		232	166

RECORD OF PROPOSALS—Concluded.

Number.	Title of proposal.	Introduced and advanced for reference.	First reading and referred to committee.	Reported from committee.	Taken from table and placed on general orders.	Taken up in Committee of Whole.	Reported back to convention and referred to Committee on Phraseology and Style.	Reported back from Committee on Phraseology and Style and placed on second reading.	Rejected.	Other proceedings.
355	To authorize legislation for the conservation of forests and to provide for the taxation of forest lands	141	141	141	273	278	279			
356	To provide protection to purchasers or agents dealing in live stock, subject to mortgage in other states	145	148	216	216	220			220	
357	Relative to the boundaries of the State of Illinois	147	147	147	151	174	174	469		
358	To provide for the separation of the Government into three departments	147	147	148	151	174	174	268		
359	To amend Article VIII of the Constitution of 1870	149	149	149	151	168, 169, 171	171	463		
360	Regarding aid to sectarian institutions	150	150	150	151	168, 169, 171				171
361	In relation to land credits	157	157	157	197	205, 206, 210	210	384		
362	Entitled "counties"	173	173	173	179	183, 186	187	399		179
363	Regarding sheriffs and county assessors succeeding themselves	173	173	173	179	183, 186			186	
364	Entitled "corporations"	177	177	177	179	187, 188, 190	191	477		
365	To amend Article XI entitled "corporations"	178	178	178	179	187, 188, 190			190	190
366	Relative to the Legislative Department	183	183	183, 198	184, 201, 241	191, 195, 196, 206, 210, 214, 219 274	220, 276	342		195, 198, 201, 210, 212, 216, 220, 241, 276
367	Providing for a legislative, initiative and referendum	185	185	185	201	261, 263			263	
368	Relative to initiative and referendum	185	185	185	201	261, 263			263	
369	Entitled "Executive Department"	192	192	192	194	198, 202, 204	204	430		
370	To provide for the appointment of certain officers in the executive department	192	192	192	194	198, 204			204	
371	To provide for the populat initiation of constitutional amendment	202	202	202	261	261, 263			263	
372	Regulating warehouses	213	213	213	213	215	216	266		
373	To provide for drainage for agricultnre, sanitary and mining purposes	216	216	216	218				223	
374	To provide home rule for municipalities	217	217	217	218	220, 221, 224, 229	229	387		
375	In relation to the preamble of the Constitution of Illinois	222	222	222	223	223, 224, 234	234	333		
376	Entitled "Bill of Rights"	222	222	222	223	224, 229, 232, 233, 234	234	321		

377	Entitled "Canals and Waterways"	229	229	229	232	234, 238	238	379	----------	----------
378	For a revenue article for the Constitution of 1920	235	235	235	241	249, 247, 254, 500	280	334	----------	251, 255, 274
379	Entitled "Judicial Department"	235	235	235	----------	----------	----------	----------	250	250
380	For a Revenue Article for the Constitution of 1920	237	237	237	241	247, 249	----------	----------	280	----------
381	For a Revenue Article for the Constitution of 1920	239	239	239	241	247, 249	----------	----------	280	----------
382	Relative to amendments to the Federal Constitution	244	244	244	273	273	273	----------	----------	273
383	Entitled "Judicial Department"	250	250	250	257	257, 261, 272, 286	288	409	----------	272, 284
384	Relative to Sections 5, 6 and 7 of Proposal 383, a proposal entitled "Judicial Department"	251	251	251	257	257, 261, 272, 286	----------	----------	290	272, 286
385	Concerning Chicago and Cook County	259	259	259	264	264, 266, 270	271	301, 394, 556	----------	461

RECORD OF REPORTS FROM COMMITEE ON PHRASEOLOGY AND STYLE.

Report number.	Title.	Reported to Convention and placed on second reading.	Considered on second reading.	Reported from Committee on Phraseology and Style as unit and placed on general orders.	Considered in Committee of the Whole as a unit.	Passage on third reading as a unit.	Other proceedings.	Rejected.
1	Military Affairs	189	194					
2	Warehouses	268	590, 636				594, 620	
3	Distribution of Powers	268	531					
4	Education	463	600, 645, 688					
5	Boundaries	469	531				531	531
6	Corporations	477	583, 633				587, 588	
7	Suffrage and Elections	294	549, 582, 747				747	
8	City of Chicago	301, 556, 649	673, 689, 724, 726, 731, 743				461	
9	Bill of Rights	321	531, 541, 631, 637, 645				555, 784	
10	Preamble	333	530					
11	Revenue	334	494, 505, 508, 538, 707, 748				500, 538, 620, 708, 723	
12	Legislative Department	342	484, 551, 569, 627, 630, 634, 639, 644, 681, 685				459, 488, 590, 639, 684, 743	
13	Canals and Waterways	379	594, 723, 730					
14	Land Credits	384	648, 687				657, 661	
15	Zoning	387	598, 640				657	
16	Cook County	394	624, 648					
17	Counties	399	615, 638, 647, 683, 779				620, 623, 627, 779	
18	Judicial Department	409	657, 662, 694, 711, 750, 778				721, 778	
19	Executive Department	430	603, 628, 724, 784				7	
20	Future Amendments	728	729, 741, 742				727	
21	Schedule	755	759, 781, 782				784	
22	Labor	773	773, 782					782
23	Submission and Address	775	776					
24	Constitution as a Whole	785		815	817	826, 837	826, 829	

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